



Swenson, Jon <jon.swenson@ci.champaign.il.us>

Citizen Complaint #13-04

1 message

Swenson, Jon <jon.swenson@ci.champaign.il.us>

Tue, Aug 6, 2013 at 3:36 PM

To: Joan Walls <joan.walls@ci.champaign.il.us>, Carrie Brown <carrie.brown@ci.champaign.il.us>, Jason Hood <jason.hood@ci.champaign.il.us>

Bcc: "Swenson, Jon" <jon.swenson@ci.champaign.il.us>

Complainant:

[REDACTED]
[REDACTED]
[REDACTED]
White female

Incident: Domestic

[REDACTED]
July 28, 2013
app. 2200 hours

Allegation: Complainant alleges that the officer failed to summon medical personnel to assist her after she complained of an injury to her arm.



Swenson, Jon <jon.swenson@ci.champaign.il.us>

Citizen Complaint

1 message

Swenson, Jon <jon.swenson@ci.champaign.il.us>

Tue, Aug 6, 2013 at 3:23 PM

To: "Rush, Matt" <matt.rush@ci.champaign.il.us>, "Coon, Geoffrey" <coonga@ci.champaign.il.us>, David Shaffer <david.shaffer@ci.champaign.il.us>, Joseph Gallo <joseph.gallo@ci.champaign.il.us>, "Cobb, Anthony" <anthony.cobb@ci.champaign.il.us>

Bcc: "Swenson, Jon" <jon.swenson@ci.champaign.il.us>

Matt,

This e-mail serves to inform you that [REDACTED] has filed a citizen complaint alleging that you failed to summon medical personnel to assist her after she complained of an injury to her arm.

I will be investigating [REDACTED] complaint, and I will be contacting you in the near future to arrange an interview with you regarding this complaint. In the meantime, please let me know if you have any questions.



Police Department • 82 E. University Avenue • Champaign IL 61820 • (217) 403-6911 • fax (217) 403-6924 • www.ci.champaign.il.us

[REDACTED]
[REDACTED]
Savoy, Illinois 61874

August 6, 2013

Dear [REDACTED]:

On July 31, 2013, you filed a complaint expressing concern over a recent contact with a Champaign police officer. Your primary concerns appear to be as follows:

- That the officer failed to take a report and document the incident that led to your contact with the police; and
- That the officer failed to summon medical personnel to assist you after you complained of an injury to your arm.

I will be investigating your complaint. You should feel free to contact me in the event that you have any questions or concerns regarding your complaint. My office number and e-mail address are both listed below, and my hours of work are generally 8:00 a.m. to 4:00 p.m., Monday through Friday.

Sincerely,

Lt. Jon Swenson
Professional Standards
Champaign Police Department
217-403-6913
Jon.Swenson@ci.champaign.il.us
13-04

INVESTIGATION FORM 2A

TO: OFF. MATT RUSH
EMPLOYEE

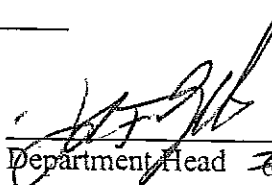
FACT FINDING INTERVIEW NOTICE AND ORDER

1. *Notice.* On WEDNESDAY, AUGUST 14, 2013, at 11:00 o'clock A.m., you are ordered to appear at the location described below to be interviewed concerning an alleged incident described below.
2. *Purpose.* The purpose of this interview is to investigate whether or not this incident occurred as alleged. Any statement that you make may be used as evidence of misconduct and as the basis for charges for suspension or discharge.
3. *Format.* At the interview, you will be ordered to answer all questions fully and truthfully which bear on your employment with the City of Champaign. The interview may be tape-recorded or transcribed by a court reporter. I or another representative of the City will ask the questions. We are also interested in hearing from you regarding any mitigating circumstances that may bear on this incident.
4. *Your Rights.* You may have your union representative present at the interview.
5. *Your Rights – Fire and Police Only.* If you are a fire fighter as defined in 50 ILCS 745/1 et seq., or if you are a peace officer as defined in 50 ILCS 725/1 et seq., you have all the rights in the applicable Act which is attached to this notice. Additional information is also provided to you on the attached form.
6. *Location of Interview:*

CHAMPAIGN POLICE DEPARTMENT

2ND FLOOR CONFERENCE ROOM

8-7-13
Date


Department Head JOE CHIEF COBB

Incident to Be Investigated: CITIZEN COMPLAINT ALLEGING THAT ON JULY 28, 2013,
OFF. MATT RUSH FAILED TO WRITE A REPORT OR SUPERVISOR MEDICAL ASSISTANCE
AFTER [REDACTED] WAS INJURED DURING A DOMESTIC DISPUTE
WITH [REDACTED]

INVESTIGATION FORM 2B

NOTICE IN COMPLIANCE WITH THE UNIFORM PEACE OFFICERS' DISCIPLINARY ACT [FIREFIGHTERS' DISCIPLINARY ACT]

TO: OFF. MIKE RUSH
(Police Officer or Firefighter)

A. Nature of Investigation

You are advised that an investigation has commenced concerning your conduct in connection with the following described incident:

CITIZEN COMPLAINT ALLEGING THAT ON JULY 28, 2013, OFF. MIKE RUSH
FAILED TO WRITE A REPORT OR SUMMON MEDICAL ASSISTANCE AFTER
[REDACTED] WAS INJURED DURING A DOMESTIC DISPUTE WITH
[REDACTED].

B. The names of the complainants are:

[REDACTED]
CHIEF ANTHONY CORB

C. Office in Charge of Investigation:

Name TON GILSON; Rank LIEUTENANT;
Unit PROFESSIONAL STANDARDS

D. Interrogators:

Name	Rank	Unit
<u>TON GILSON</u>	<u>LIEUTENANT</u>	<u>PROF. STANDARDS</u>
<u>DAVE SHUTTER</u>	<u>LIEUTENANT</u>	<u>PATROL</u>

E. Persons Present During Interrogation (Other than Interrogators)

Off. Matt Rusk
Talisha Williams (TOP ADV)

Administrative Rights

1. Admissions. Admissions made by you in the course of any interrogation may be used as evidence of misconduct or as the basis for charges seeking suspension, removal or discharge.
2. Counsel. You have the right to be represented at this or subsequent interrogations by legal counsel of your choosing. You may request such counsel at any time before or during the interrogation. When such request is made, no interrogation shall proceed until reasonable time and opportunity are provided to you to obtain counsel.
3. Record. A transcript or copy of the record of this interrogation is available to you without charge upon your request.

F. Refusal to Answer

You have an obligation to truthfully answer all questions. Your answers or responses constitute an official report. If you persist in a refusal to answer questions after an order of a superior officer to answer, you are advised that such refusal constitutes a violation of Departmental Rules and may serve as a basis for suspension, removal or discharge or other disciplinary actions. You are further advised that by law, any admission made by you during the course of this interrogation cannot be used against you in any subsequent criminal proceeding.

THE UNDERSIGNED ACKNOWLEDGES THAT A COPY OF THIS NOTICE WAS RECEIVED BY HIM/HER.

[Signature]

Time 1600

Date 8/7/13

Witnesses:

[Signature]
[Signature]



Police Department • 82 E. University Avenue • Champaign IL 61820 • (217) 403-6911 • fax (217) 403-6924 • www.ci.champaign.il.us

[REDACTED]

September 9, 2013

Savoy, Illinois 61874

Dear [REDACTED]

A thorough investigation into your complaint alleging employee misconduct has been completed. Your complaint was investigated by the Professional Standards Lieutenant, and his investigation was reviewed by a District Supervisor, a District Commander, a Deputy Chief, and me. The investigation resulted in the following conclusions:

In your complaint you alleged that the officer failed to take a report and document an incident that he had been called to resolve. Our investigation revealed that the officer should have documented the incident in a written police report, and that portion of your complaint is therefore sustained.

You also alleged that the officer failed to summon medical personnel to assist you at the scene. Our investigation revealed that the officer also should have summoned an ambulance to the scene to assess the extent of your injury. That portion of your complaint is also sustained.

You may request that the City Manager review my decision. This request must be made within 30 days. If you have any questions, please call me at 217-403-6911.

I appreciate your concern in bringing this matter to my attention.

Respectfully,

Anthony Cobb
Chief of Police
Champaign Police Department
13-04



Police Department • 82 E. University Avenue • Champaign IL 61820 • (217) 351-4545 • fax (217) 403-6904 • www.ci.champaign.il.us

To: Chief Anthony Cobb
From: Lt. Jon Swenson
Date: 8/22/13
Subject: Citizen Complaint #13-04 / [REDACTED]

INCIDENT SUMMARY

On the evening of July 28, 2013, at approximately 2200 hours, Officer Matt Rush, who is currently assigned as a Northwest District patrol officer on the Midnight Shift, reported for duty. Officer Rush then worked his tour of duty in that capacity.

At approximately 2215 hours, Officer Rush received a telephone call on his personal cell phone from a subject, [REDACTED], with whom he is personally acquainted. [REDACTED] subsequently informed Officer Rush that he was at his residence at [REDACTED], that he was arguing with his girlfriend, and that his girlfriend was tearing up his house and destroying his property. [REDACTED] then asked Officer Rush to respond to his residence in order to prevent the argument from escalating.

Officer Rush concluded the phone call and responded to [REDACTED]. While en route, Officer Rush advised METCAD that he was responding to the address for "Code 27" (follow-up investigation).

Upon arrival at [REDACTED], Officer Rush met with [REDACTED] in the front yard of the residence. At that time [REDACTED] identified his girlfriend as [REDACTED], and described her as "extremely intoxicated and out of control."

[REDACTED] then went on to explain that he and [REDACTED] had spent the day on a date in Peoria, Illinois. Following the date they returned to [REDACTED] residence on [REDACTED] and began arguing. [REDACTED] indicated that the argument was caused by the fact that [REDACTED] thought [REDACTED] was romantically involved with another woman. According to [REDACTED] [REDACTED] responded to her suspicion by tearing up property within his residence, to include gifts that he had purchased for his children. [REDACTED] then informed Officer Rush that [REDACTED] had also "grabbed him by the arm" and "put her hands on his face, in a manner designed to get his attention." [REDACTED] further indicated that during the argument [REDACTED] had fallen "backwards onto the floor" of his residence.

After speaking with [REDACTED], Officer Rush proceeded inside of the residence and met with [REDACTED] as she sat on a couch in the living room. [REDACTED] was crying when Officer Rush entered the residence, and upon speaking with her Officer Rush noted that [REDACTED] speech was heavily slurred. Due to [REDACTED] slurred speech and physical appearance, Officer Rush formed the opinion that [REDACTED] was "highly intoxicated."

Officer Rush attempted to speak with [REDACTED] but later reported that he had limited success in gathering information from her due to her apparent level of intoxication. [REDACTED] continued to cry as Officer Rush attempted to speak with her, and during that time [REDACTED] was reported to have repeatedly stated, "I just want to go home."

While Officer Rush obtained very little information from [REDACTED] regarding the dispute that led to his response, he did prevent [REDACTED] from driving herself home. Officer Rush instead volunteered to drive [REDACTED] home, and later did so.

After transporting [REDACTED] to her residence at [REDACTED] Illinois, Officer Rush contacted METCAD and returned to service. Officer Rush did not draw a file (report number), and he did not include any additional information on the corresponding dispatch ticket. It should also be noted that Officer Rush never informed METCAD that he was transporting or had transported [REDACTED] to her place of residence.

On approximately 0636 hours on the following morning (July 29, 2013) [REDACTED] contacted METCAD by telephone. At that time [REDACTED] informed a [REDACTED] dispatcher that she wanted to file a report regarding a domestic disturbance that a Champaign police officer had responded to on the evening prior. Upon questioning, [REDACTED] reported that the disturbance occurred at [REDACTED]. [REDACTED] additionally reported that she believed that she had sustained a broken arm during the disturbance.

Following a series of phone calls and a search of Tiburon dispatch records, the METCAD dispatcher determined that the incident that [REDACTED] was referring to was likely Officer Rush's response to [REDACTED] on the evening prior. In response to that determination, METCAD contacted Sgt. Aaron Lack and informed him of the pending call.

After another series of phone calls and some follow-up work, [REDACTED] determined that [REDACTED] was located within the jurisdiction of the Champaign County Sheriff's Office. As Champaign County Sheriff's deputies were dispatched to that address, Sgt. Lack directed Officer Rush to respond back to [REDACTED] residence in Savoy. Officer Rush was further directed to transport [REDACTED] back to [REDACTED], where she was to meet with Champaign County Sheriff's deputies.

At the conclusion of an investigation into the domestic dispute by the Champaign County Sheriff's Office both [REDACTED] and [REDACTED] were arrested for the offense of Domestic Battery. [REDACTED] was arrested and transported to the Champaign County Jail. Following her arrest, [REDACTED] was transported to Carle Hospital for treatment of her injured arm. When a medical examination revealed that [REDACTED] had suffered a spiral fracture to her right wrist, she was released on a State Notice to Appear (NTA).

Following his release from the Champaign County Jail, [REDACTED] sought medical treatment for an ear injury that he reportedly suffered during the altercation with [REDACTED]. [REDACTED] was subsequently diagnosed with a perforated eardrum.

COMPLAINT INTAKE AND INTERVIEW OF [REDACTED]

On Wednesday, July 31, 2013, [REDACTED] met with Lt. Tod Myers at the Champaign Police Department for the purpose of filing a citizen's complaint against Officer Matt Rush regarding his handling of this incident.

[REDACTED] ultimately provided Lt. Myers with the following information:

- On the afternoon of July 28, 2013, at approximately 1230 hours, [REDACTED] and [REDACTED] traveled by motorcycle to Peoria, Illinois. While there they had dinner and they each consumed a couple of alcoholic beverages. After having dinner and drinks they departed Peoria with the intention of returning to [REDACTED] residence.

- During the return trip [REDACTED] and [REDACTED] stopped at Millie's Bar in Mahomet, Illinois, where they each consumed a couple more alcohol beverages.
- Upon departing Millie's Bar, [REDACTED] and [REDACTED] returned to [REDACTED]'s residence at [REDACTED] in Champaign, Illinois. [REDACTED] believed that they arrived at the residence at approximately 2130 hours.
- Upon arriving at [REDACTED]'s residence [REDACTED] walked to [REDACTED] bedroom, where she intended to go to sleep. She moved several of [REDACTED]'s belongings off the bed, and that upset [REDACTED]. When [REDACTED] became upset, they began to argue. During the argument [REDACTED] walked out of the bedroom and into the hallway. [REDACTED] followed [REDACTED] and they continued their argument briefly in the hallway. Following the argument in the hallway, [REDACTED] turned to walk back into the bedroom. When [REDACTED] started walking back towards the bedroom [REDACTED] pushed her from behind, which caused her to fall forward onto the floor. [REDACTED] then sat on [REDACTED]'s back and pinned both of her wrists to the floor.
- While [REDACTED] held [REDACTED]'s wrists he began twisting them, which caused [REDACTED]'s right wrist to pop. It was clear to [REDACTED] that her wrist or arm broke at that time, and she believed that [REDACTED] recognized that fact as well because he immediately got off of her, walked outside, and used his cell phone to make a phone call.
- [REDACTED] sat on the couch in the family room while [REDACTED] was on the phone, and a short time later [REDACTED] saw Officer Rush pull up in front of [REDACTED]'s residence. Officer Rush spoke briefly with [REDACTED] in the front yard and then entered the residence. [REDACTED] followed Officer Rush but stopped before entering the residence and stood in/at the doorway.
- [REDACTED] was holding her right arm and crying when Officer Rush entered the residence. [REDACTED] spoke with Officer Rush and informed him that [REDACTED] had pushed her down in the hallway.
- [REDACTED] informed Officer Rush that [REDACTED] then twisted her arms/wrists. [REDACTED] also reported that she believed her right arm was broken in the process.
- As [REDACTED] provided Officer Rush with her version of the events, [REDACTED] stood in the front doorway of the residence and talked over her.
- While speaking with Officer Rush [REDACTED] never asked for an ambulance, but she did make several comments about needing to go to the hospital.
- Officer Rush then offered to transport [REDACTED] to her residence "due to her prior consumption of alcohol." [REDACTED] conceded that she was not sober, but denied being highly intoxicated at that time.
- [REDACTED] accepted Officer Rush's offer for a ride and she was ultimately driven home by Officer Rush.
- During the ride to her residence [REDACTED] complained to Officer Rush about the pain in her right wrist/arm area. [REDACTED] also told Officer Rush that she believed her wrist/arm was broken and that she believed she needed to go to the hospital. [REDACTED]'s statements were never acknowledged by Officer Rush.
- Upon arriving at [REDACTED]'s residence in Savoy, Officer Rush escorted [REDACTED] into the residence. Officer Rush then prepared a bag of ice, gave it to [REDACTED], and instructed her to place it on her injured wrist/arm.
- Officer Rush then suggested that [REDACTED] go to sleep and advised her that he would be returning in the morning to take her back to [REDACTED] residence to retrieve her vehicle.
- [REDACTED] awoke at around 0600 hours on the following morning, and at that time she was still experiencing pain in the area of her right wrist.
- [REDACTED] then called "911," explained what had occurred on the previous evening, and questioned why no report was taken.
- A short time later Officer Rush returned to her residence and transported her back to [REDACTED] residence.

- Upon her arrival at [REDACTED] residence [REDACTED] met with several Champaign County Sheriff's deputies, and they investigated the incident which occurred the evening prior.

[REDACTED] also provided Lt. Myers with a written complaint. The primary allegation that emerged from [REDACTED] oral statement and written complaint was:

1. That Officer Rush failed to assist her in receiving medical care after learning of the injury to her wrist/arm.

MEDICAL RECORDS – [REDACTED]

During their meeting on Wednesday, July 31, 2013, [REDACTED] provided Lt. Myers with a copy of the medical discharge records that she received from Carle Hospital following treatment for her wrist/arm injury on July 29, 2013.

[REDACTED] discharge records are attached to this memorandum, and they indicate that she was treated by Dr. Valerie Pollard on July 29, 2013. [REDACTED] discharge records further reveal that she was diagnosed with and treated for a spiral fracture of her primary ulna. [REDACTED] discharge records further indicate that she was directed to schedule a follow-up appointment with Orthopedics to determine whether or not surgery would be necessary.

MEMORANDUM – SGT. AARON LACK

Sgt. Lack met with [REDACTED] at [REDACTED] on the morning of July 29, 2013, at the time that Officer Rush responded there to transport [REDACTED] back to [REDACTED] residence. Sgt. Lack spoke briefly with [REDACTED] and during their conversation [REDACTED] provided Sgt. Lack with the following information at that time:

- Due to overnight swelling, [REDACTED] now believed her arm was broken.
- Although her arm was sore at the time that Officer Rush responded to [REDACTED] on the previous evening, [REDACTED] did not believe that her arm was broken at that time.
- Although [REDACTED] did not believe that her arm was broken at the time that Officer Rush responded to [REDACTED] on the previous evening, [REDACTED] did tell Officer Rush that her arm was sore.
- When Officer Rush responded to [REDACTED] on the evening prior [REDACTED] did not inform him of the physical fight that she had with [REDACTED]
- [REDACTED] did not inform Officer Rush of the physical fight with [REDACTED] because "she believed that nothing would be done" and because she "did not want the situation investigated."

Sgt. Lack documented his conversation with [REDACTED] in a memorandum, and a full copy of that memorandum is attached to this report.

INTERVIEW OF [REDACTED]

On Wednesday, August 7, 2013, Lt. Dave Shaffer and I interviewed [REDACTED] relative to this complaint. Upon interview [REDACTED] provided us with the following information:

- [REDACTED] and [REDACTED] have had an on and off dating relationship for more than 10 years and they have a child (daughter) in common.
- [REDACTED] is employed at [REDACTED]
- Officer Rush is personal friends with [REDACTED], who owns [REDACTED] and he regularly frequents the business.

- It is through Officer Rush's frequent visits to ██████████ that ██████████ has come to be acquainted with Officer Rush.
- On July 28, 2013, ██████████ traveled to Peoria, Illinois with ██████████ by motorcycle. While in Peoria, ██████████ and ██████████ ate dinner and then went to a bar to listen to a band.
- Both ██████████ and ██████████ consumed alcohol while in Peoria.
- ██████████ and ██████████ departed Peoria during the early evening hours and traveled back to Champaign by motorcycle.
- ██████████ and ██████████ stopped at Millie's in Mahomet, Illinois for a drink on the way home.
- ██████████ and ██████████ arrived at ██████████'s residence ██████████ shortly before 2200 hours that evening.
- ██████████ estimated that he consumed 4-5 beers during the course of the afternoon and evening.
- ██████████ estimated that ██████████ consumed in excess of 10 beers and mixed drinks during the course of the afternoon and evening. ██████████ additionally consumed several "shots" of hard liquor during the evening.
- ██████████ believed that ██████████ was "extremely intoxicated" when they arrived at his residence.
- Upon their arrival at ██████████'s residence, ██████████ entered the residence. ██████████ stopped in the front yard prior to entering the residence, and he remained there briefly while he made a phone call.
- When ██████████ entered the residence he found ██████████ in his bedroom. At that time ██████████ mentioned having noticed that ██████████ had new sheets on his bed.
- The existence of the new sheets and the fact that ██████████ had stopped outside to make a phone call before entering the residence caused ██████████ to believe that ██████████ was seeing another woman.
- In response to that belief, ██████████ began going through ██████████'s belongings in search of female undergarments.
- When ██████████ was unable to find any incriminating items amongst ██████████'s belonging she began tearing up ██████████'s house. ██████████ damaged several of ██████████'s personal belongings, including gifts that had recently purchased for his children.
- ██████████ then confronted ██████████, grabbed him by the arm, and made numerous attempts to strike him in the head. ██████████ avoided the majority of the strikes which ██████████ attempted by simply turning away from her, but he ultimately pulled himself free from ██████████ to avoid being battered. When ██████████ did so, ██████████ fell to the ground.
- When ██████████ fell to the ground ██████████ stepped outside and contacted Officer Rush by calling Officer Rush's personal cell phone number.
- ██████████ called Officer Rush because he "didn't want the police to come and make a big deal out of things." ██████████ considered calling others for help, but ultimately decided to call Officer Rush because he knew he was working and would likely be able to respond quickly.
- Upon reaching Officer Rush, ██████████ informed him that ██████████ was "intoxicated and tearing up his house." ██████████ then asked Officer Rush if he could respond to his residence to bring things under control and keep the incident from escalating. Officer Rush agreed to respond and then instructed ██████████ to remain outside of the residence.
- ██████████ remained outside of his residence while awaiting Officer Rush.
- Officer Rush arrived several minutes later and at that time ██████████ met with him in the front yard of his residence.
- Upon speaking with Officer Rush, ██████████ informed him that ██████████ had "tried to get physical" with him by attempting to hit him.
- ██████████ also informed Officer Rush that ██████████ had fallen to the floor at some point during her attempts to get physical with him.
- Officer Rush then entered the front door at ██████████'s residence and made contact with ██████████. ██████████ followed Officer Rush and stood at/near the front door while Officer Rush spoke with ██████████.

- [REDACTED] was crying and seated on a couch in the front room of the residence when Officer Rush made contact with her.
- During the ensuing conversation between [REDACTED] and Officer Rush, [REDACTED] repeatedly stated "I want to go home." Officer Rush responded to that statement by informing [REDACTED] that he could not let her drive home due to her level of intoxication. Officer Rush also offered to give [REDACTED] a ride home.
- [REDACTED] was unable to hear all of the details of the conversation between [REDACTED] and Officer Rush, and he was unsure as to whether or not [REDACTED] complained of any injury to her arm/wrist.
- [REDACTED] ultimately agreed to let Officer Rush drive her home and after [REDACTED]'s keys were located he did so.
- After Officer Rush left with [REDACTED] looked in the mirror and noticed that he had several small marks on his face and a small cut inside of his mouth. [REDACTED] documented those injuries by photographing them with his cell phone camera.
- After Officer Rush dropped [REDACTED] at her residence he called [REDACTED] to let him know that [REDACTED] had arrived home safely. During that phone call Officer Rush also told [REDACTED], "Dude, she's really drunk."
- The following morning Officer Rush transported [REDACTED] back to [REDACTED] residence and several deputies from the Champaign County Sheriff's Office responded to [REDACTED] residence to investigate the incident that occurred the evening prior.
- Following that investigation, both [REDACTED] and [REDACTED] were arrested for the offense of Domestic Battery.
- On the morning of July 29, 2013, [REDACTED] realized that he was injured as he was having difficulty hearing out his right ear. [REDACTED] later sought medical treatment for that injury and was diagnosed with a broken (perforated) ear drum.
- [REDACTED] is certain that he suffered the injury to his ear during the physical altercation with [REDACTED].

DOCUMENTATION OF INJURIES

During our interview with [REDACTED] on Wednesday, August 7, 2013, [REDACTED] mentioned that following [REDACTED] departure from his residence he discovered that he had several marks on his face and a small cut inside of his mouth. [REDACTED] additionally mentioned that he had documented those injuries using his cell phone camera. When asked, [REDACTED] agreed to provide me with copies of those photos.

On Friday, August 9, 2013, [REDACTED] voluntarily met with me at the Champaign Police Department. At the time of that meeting he temporarily relinquished his cell phone to Det. Simons so that the photographs of his injury could be downloaded. Det. Simons spent less than 10 minutes downloading the images from [REDACTED] cell phone and then returned the phone to [REDACTED].

Prior to leaving the police department, [REDACTED] viewed the date/time stamp on the photographs that he took. The date/time stamp indicated that the photographs were taken at 2257 hours on July 28, 2013.

Det. Simons later forwarded an e-mail to me which contained the images that were downloaded from [REDACTED] phone. The images depict visible injuries to [REDACTED] face and the inside of his mouth. The images were printed and are attached to this memorandum. It should be noted that the images are not as clear in print as they are in electronic format. I have the images saved in an electronic folder on my desktop computer and they may also be viewed electronically.

REVIEW OF SQUAD CAR VIDEOS

On the evening of July 28, 2013, Officer Rush transported [REDACTED] from [REDACTED] in Champaign to [REDACTED]. On the morning of July 29, 2013, Officer Rush transported [REDACTED] from [REDACTED]. Although Officer Rush did not activate the rear facing camera and record either transport, I did locate a video of each transport on the Mobile Video Recording (MVR) server. In both cases the front facing camera and Officer Rush's transmitter were activated by the "speed trigger" on the MVR System.

On August 8, 2013, I spent a considerable period of time reviewing both transport videos. During my review I found that neither video contained any relevant video evidence. I also found that the audio portion of both recordings was faint and very difficult to understand. As a result neither recording revealed any useful evidence.

On Friday, August 9, 2013, Lt. Paulus provided me with a DVD which contained an enhanced version of approximately 65 seconds worth of audio. That audio resulted from the transport of [REDACTED] on the evening of July 28, 2013.

During my review of the enhanced audio recording I found that the quality of the audio portion of the recording was better but remained very difficult to understand. I listened to the recording repeatedly but was never able to ascertain anything specific that either [REDACTED] or Officer Rush said during the transport.

METCAD RECORDINGS

Betsy Smith, METCAD supervisor, provided Lt. Myers with a CD recording of all telephonic, car-to-car, and dispatch-to-car recordings relative to this case. I reviewed each of those recordings on Friday, August 9, 2013, and during my review noted nothing of significance to this investigation.

INTERVIEW WITH OFFICER RUSH

On August 7, 2013, I served Officer Rush, through a Fraternal Order of Police (F.O.P.) union representative, with a written copy of a "Fact Finding Interview Notice and Order." That document served as a written order for Officer Rush to report for an interview relative to this investigation on August 14, 2013. It should be noted I also contacted F.O.P. Attorney Tamara Cummins by telephone and informed her of both this investigation and the pending interview.

On August 14, 2013, I interviewed Officer Rush regarding this investigation. Lt. Shaffer was also present during the interview. Tamara Cummins served as Officer Rush's legal representative. The interview was recorded, and a transcript of the interview is attached to this memorandum.

CHAMPAIGN POLICE DEPARTMENT POLICY

The following excerpt from Champaign Police Department Policy 1.2, titled Limits of Authority," is applicable in this case:

Section 1.2.1(C)(3) – Non-Arrest Custody

- (3) It has long been recognized and affirmed in court that providing for public safety is a proper exercise of police authority. In this role, officers may come upon persons who have suffered injury and refuse medical treatment. In some cases in which medical treatment is refused, the injured person will not be competent to knowingly refuse treatment due to conditions which may include intoxication, drug influence, or disorientation. Such conditions may be due to age, medical condition, effects of serious injury, or other possible causes.

The following excerpts from Champaign Police Department Policy 41.8, titled "Domestic Violence," are applicable in this case:

DEFINITIONS

Abuse: Means physical abuse, harassment, intimidation of a dependent, interference with personal liberty, willful deprivation, or any property crime directed at the victim. Abuse does not include reasonable direction of a minor by a parent or person with legal parental authority.

Domestic Battery: A person commits domestic battery if he or she intentionally, without legal justification by any means, causes bodily harm to or makes contact of an insulting or provoking nature with any family or household member.

Domestic Violence: Means attempting to cause or causing abuse of a family member, household member, or high-risk adult with disabilities, or attempting to cause or causing neglect or exploitation of a high-risk adult with a disabilities which threatens the adult's health and safety.

Family or Household Member: Includes spouses, former spouses, parents, children, stepchildren, or others related by blood, person related by present or former marriage, persons who share or formerly shared a common dwelling, persons who allegedly have a child in common, persons who share a blood relationship through a child, persons who have or have had a dating relationship, and persons with disabilities and their personal assistants.

Section 41.8.1 (A)(3)-(4)

(A) An officer conducting an on scene investigation into a domestic violence allegation shall:

(3) Assess the need for medical attention.

(4) An officer conducting an on scene investigation into a domestic violence allegation shall interview all parties, including witnesses. These interviews should be conducted separately.

Section 41.8.2

(A) It is the duty of a law enforcement officer to take all reasonable steps to prevent further abuse. Every officer investigating an alleged incident of abuse between family or household members shall make a written police report of any allegation and the disposition of the allegation. This report should include the names, ages, and schools or any minor children in the household.

Section 41.8.3

(A) Whenever an officer has reason to believe that a person has been abused by a family member, the officer shall immediately use all reasonable means to prevent further abuse, including:

(4) Offering the victim immediate and adequate information in written form. Each potential victim shall be given a Domestic Violence Form, which contains information about obtaining an order of protection, and the form must include the report number and the name of the reporting officer.

(6) Advising the victim about seeking medical attention and preserving evidence, specifically including photographs of injury or damage.

COMPLAINT FINDINGS

ALLEGATION #1 - That Officer Rush failed to assist [REDACTED] in receiving medical care after learning of the injury to her wrist/arm.

FINDING #1 – SUSTAINED

When Officer Rush responded to [REDACTED]'s residence on the evening of July 28, 2013, the first person he spoke with was [REDACTED]. [REDACTED] claims to have informed Officer Rush at that time that [REDACTED] fell to the floor of his residence during the course of the dispute giving rise to Officer Rush's response.

[REDACTED] likewise claimed to have informed Officer Rush that she had fallen. [REDACTED] additionally claimed that she informed Officer Rush that her "arm hurt" and that she thought she should go to the hospital. At no time did [REDACTED] allege that she requested and was denied medical assistance.

During his statement regarding this investigation, Officer Rush acknowledged having been informed (by both [REDACTED] and [REDACTED]) that [REDACTED] had fallen. Officer Rush further acknowledged that [REDACTED] informed him that "her arm hurt." Lastly, Officer Rush acknowledged that during his contact with [REDACTED] he formed the opinion that she was "extremely intoxicated."

This matter is complicated by the fact that [REDACTED] has given conflicting statements regarding her recognition of the seriousness of the injury to her wrist/arm:

- While speaking with Sgt. Lack on the morning of July 29, 2013, [REDACTED] stated that she did not come to believe that her wrist/arm was broken until she awoke that morning.
- While filing her complaint with Lt. Myers on July 31, 2013, [REDACTED] stated that she heard a "pop" in her wrist/arm at the time of the injury and at that time believed that her wrist/arm had been broken.

With that said, given [REDACTED] reported state of intoxication it is my finding that Officer Rush should have recognized the possibility that [REDACTED] was too impaired to fully recognize the extent of her injury at the time he spoke with her. Officer Rush should also have recognized at that time the possibility that [REDACTED] level of intoxication may have been masking her sense of pain.

One of Officer Rush's roles at the scene was that of a caretaker. Officer Rush recognized that fact to some extent, as he prepared a bag of ice for [REDACTED] to apply to her wrist/arm when he transported her to her residence. However, Officer Rush made no attempt to determine the extent of [REDACTED] injury nor did he conduct a cursory examination to ascertain whether or not there was any obvious sign of injury. The prudent thing for Officer Rush to have done under the circumstances was to request that medical personnel respond to the scene to evaluate [REDACTED] wrist/arm and the extent of her injury.

OTHER MISCONDUCT NOTED

During the course of this investigation other violations of Champaign Police Department Policies and Champaign Police Department Rules were discovered.

The following facts were established during the course of this investigation:

- That [REDACTED] and [REDACTED] have a dating history and share a child in common;

- That [REDACTED] and [REDACTED] qualify as "Family or Household Members" under the legal definition established in the Domestic Violence Act;
- That [REDACTED] committed the offense of "Abuse" by committing a property crime that was directed at [REDACTED];
- That [REDACTED] committed the offense of "Domestic Battery" by making "contact of an insulting or provoking nature" with [REDACTED] in that she grabbed his arm and face;
- That [REDACTED] committed the offense of "Domestic Violence" in that she caused or attempted to cause the abuse of [REDACTED] through her repeated attempts to strike him; and
- That [REDACTED] had visible injuries to his face which supported his statement to Officer Rush.

These facts clearly support a finding that [REDACTED] committed a reportable violation of Domestic Violence laws. Regardless of whether or not either party in the dispute wished to pursue the matter, Officer Rush was obligated to conduct a thorough on-scene investigation, to write an offense report summarizing the results of his investigation, to fulfill the duties of a responding officer, and to provide assistance to the involved parties.

During his interview, Officer Rush acknowledged that [REDACTED] committed the offense of Domestic Battery. It is also my finding that had Officer Rush completed a thorough on-scene investigation he would have additionally established the fact that [REDACTED] likewise committed the offense of Domestic Battery.

[REDACTED]

POLICY RECOMMENDATION

Policy 41.11, titled "Mobile Video Recording," should be revised to require that officers record all citizen transports, not just those involving persons lawfully taken into police custody.

Attachments

Citizen Complaint Intake Form
Written Complaint / [REDACTED]
Dispatch Ticket #479 from July 28, 2013
Dispatch Ticket #067 from July 29, 2013
Memorandum / Sgt. Lack
Memorandum / Lt. Myers
Champaign Police Report #C13-6904
Champaign County Sheriff's Report #S13-2357
Photographs / [REDACTED]
Medical Records / [REDACTED]
Transcript of Fact-Finding Interview / Officer Rush
Summary of Tatman arrest history / Circuit Clerk's Office
PPM Records / Officer Rush

CHAMPAIGN POLICE DEPARTMENT
CITIZEN'S COMPLAINT
INTAKE FORM

COMPLAINT # 13.04 Intent to File Date _____

DATE REPORTED 7.31.13 TIME 12:38

DATE of INCIDENT 7.28.13 TIME 2200

LOCATION OF INCIDENT [REDACTED]

NAME [REDACTED] PHONE [REDACTED] SEX M

ADDRESS [REDACTED] RACE W DOB [REDACTED]

NAME _____ PHONE _____ SEX _____

ADDRESS _____ RACE _____ DOB _____

NAME _____ PHONE _____ SEX _____

ADDRESS _____ RACE _____ DOB _____

TYPE OF REPORT (CHECK ONE)

☒ O-FILE C13-6904

☒ IVC (32090429, 132106067)

☐ ACCIDENT _____

☐ CALL FOR SERVICE TICKET
NUMBER _____

☐ OTHER _____

PERSON TAKING REPORT/CALL: LT. [Signature] 9105

CHAMPAIGN POLICE DEPARTMENT
CITIZEN'S COMPLAINT

Description of incident: (Required)

Please describe what you believe the officer/employee did properly or improperly.

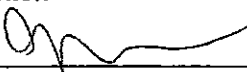
- got back to [REDACTED] house @ 9:30
- went to bed
- got into verbal argument
- head back to bedroom to get away from situation
- on the way down the hallway he tackled me to the ground, while pinning me down he twisted my wrists in; heard snap
- he immediately called officer Rush outside
- officer Rush arrived had a conversation with [REDACTED] outside
- Rush came inside I told him of the incident
- told him I was in a lot of pain in my wrist
- he said okay; & he would take me home; on the way home I expressed my severe pain.
- got home; he got me ice & said he would be back in 4 hours to take me to my car & to leave the door unlocked

Verification of complaint allegations: (REQUIRED)

Allegations of police employee misconduct are serious, and you are asked to verify that the information you have provided is true and correct, to the best of your knowledge.

By placing a checkmark (✓) in this box, ☒

"I hereby certify that the information in this complaint is true and correct, to the best of my knowledge and belief."


Signature (Required)

Date: 7/31/13
MM DD YYYY

Detailed History for Police Event #132090429 As of 7/31/2013 15:04:14

Priority:5 Type:FOLLOW - FOLLOW UP

Location: [REDACTED]

LocCross:btwn COMANCHE DR and AZTEC DR

Created:	07/28/2013 22:17:17	DIS5	6618
Entered:	07/28/2013 22:17:17	DIS5	6618
Dispatch:	07/28/2013 22:17:17	DIS5	6618
Enroute:	07/28/2013 22:17:17	DIS5	6618
Onscene:	07/28/2013 22:35:10	DIS5	6618
Control:	07/28/2013 22:42:56	DIS5	6618
Closed:	07/28/2013 23:12:28	DIS8	6610

PrimeUnit:7114 Dispo:NORPT Type:FOLLOW - FOLLOW UP

Agency:SO DAREA:SO Beat:S04 RD:6001 ☐ Detail

22:17:17 CREATE Location:[REDACTED] LocCross:btwn COMANCHE DR and AZTEC DR

22:17:17 ENTRY Type:None-->FOLLOW DAREA:None-->SO RD/FD:None-->6001 TypeDesc:None-->FOLLOW UP Priority:None-->5 Response:None-->IPAT Agency:None-->SO

22:17:17 DISPER 7114 Location:[REDACTED] Badge:7114 OperNames:RUSH,MATT R

22:17:17 -PRIU 7114

22:17:17 -PREMIS Comment:(none)

22:35:10 ONSCN 7114

22:42:56 OK 7114

23:12:28 CLEAR 7114 Dispo:NORPT

23:12:28 -CLEAR

23:12:28 CLOSE

[07/29/2013]

06:38:10 XREF Service:P Event:#132100067 Type:DOMEST Agency:SO

06:43:45 -PREMIS Comment:(none)

Detailed History for Police Event #132100067 As of 7/31/2013 15:04:57

Priority:3 Type:DOMEST - DOMESTIC

Location: [REDACTED]

LocCross:btwn COMANCHE DR and AZTEC DR

Created:	07/29/2013 06:36:33	DIS8	6629
Entered:	07/29/2013 06:37:57	DIS8	6629
Dispatch:	07/29/2013 06:44:06	DIS8	6616
Enroute:	07/29/2013 06:44:06	DIS8	6616
Onscene:	07/29/2013 06:54:57	DIS6	6620
Control:	07/29/2013 07:01:34	DIS6	6620
Transprt:	07/29/2013 08:19:11	DIS8	6616
Complete:	07/29/2013 08:30:45	DIS8	6616
Closed:	07/29/2013 10:01:49	DIS8	6616

PrimeUnit:7114 Dispo:NTA Type:DOMEST - DOMESTIC

Name:[REDACTED] Phone:[REDACTED] RPAddr:[REDACTED]

Agency:SO DAREA:SO(n/a) Beat:S04(n/a) RD:6001(n/a)

Case #:CH1306904, SO132357 ☐ Detail

06:36:33 CREATE Location:[REDACTED] HET Type:DOMEST Name:[REDACTED] RPAddr:108 W MAIN,SV Phone:[REDACTED] DAREA:SO RD/FD:6001 TypeDesc:DOMESTIC
LocCross:btwn COMANCHE DR and AZTEC DR Priority:1 Response:IPAT Agency:SO
LocType:S

06:37:57 ENTRY Priority:1-->3 Comment:RP WANTING TO MAKE A RPT IN REF AN INC LAST NIGHT IN DOBBINS DOWNS. SAYING A CPD OFCR CAME OUT AFTER BEING CALLED BY HER BFRIEND AND WAS TAKEN HOME BY THE OFCR. NOW SAYING SHE THINKS SHE HAS A BROKEN ARM BUT REF MED. WANTING A RPT AND UPSET THERE WASNT ONE TAKEN LAST NIGHT. 920ADV OF THIS

06:37:58 NOMORE

06:37:57 -PREMIS Comment:PPR

06:38:10 XREF Service:P Event:#132090429 Type:FOLLOW Agency:SO

06:38:12 SELECT

06:38:15 HOLD

06:42:16 HOLD Comment:HOLD

06:44:06 DISPER 7114 Location:[REDACTED] Badge:7114 OperNames:RUSH,MATT R

06:44:06 -PRIU 7114

06:44:23 MISC 7114 Comment:PER 920, 7114 GO TO SAVOY, 25 W/ CCSO TO FILL THEM IN

06:44:25 RI 7114

06:45:07 CHANGE Location:250 [REDACTED] T-->UNKNOWN CHAMPAIGN RESP,CH RD/FD:6001-->54412C Beat/Sta:S04-->CHN

06:45:08 CHANGE Response:IPAT-->2PC DAREA:SO-->CHN Agency:SO-->CH

06:45:07 -PREMIS Comment:PPR, FPR, AED, KNOX

06:45:07 -PINFO PremType:AED Location:82 E UNIVERSITY AV,CH Comment:AED - 6 LOCATED IN THE BLDG. WITH NO PERMANENT LOCATION AT THIS TIME

06:47:21 MISCN Comment:549 CALLED IN, ADVSD FEM PUT MSG ON CCSO FACEBOOK PAGE REGARDING INCIDENT.

06:54:57 ONSCN 7114

06:59:53 CASE 7114 Case#:CH1306904

07:01:30 BACKOS 920 UnitID:7114 Location:[REDACTED] Badge:7920 OperNames:LACK,AARON V

07:01:34 OK 7114 920

07:11:56 BACKER 508 UnitID:7114 Location:[REDACTED] Badge:5508 OperNames:MAXEY,ALICIA A

07:14:29 BACKER 516 UnitID:508 Location:[REDACTED] Badge:5516 OperNames:WAGNER,TRACY L

07:19:50 CHGLOC 508 516 Location: [REDACTED]
 07:24:21 CHGLOC 7114 Location: [REDACTED] Comment: W/FEMALE SM 5593.0
 07:25:19 BACKER 534 UnitID:516 Location: [REDACTED] Badge:5534 OperNames: COILE,DANIEL A
 07:27:22 QNSCN 516
 07:32:34 OK 516
 07:33:12 OK 534
 07:33:17 OK 508
 07:36:49 ONSCN 7114 Comment: EM 5600.0
 07:39:16 CLOS 920 Location: [REDACTED]
 07:43:54 OK 7114 920
 07:53:45 CLEAR 7114 920 Dispo: RPT
 08:02:53 CHANGE Location: UNKNOWN CHAMPAIGN RESP, CH-->2505 ROLAND DR, HET
 08:02:53 -PREMIS Comment: (none)
 08:11:13 OK 508 516 534
 08:18:00 MISC 516 Comment: *** 95X1 *** , MALE HALF
 08:18:20 RI 508
 08:18:22 RI 516
 08:19:11 TRANSP 508 Location: CARLE ER, UR Comment: W/ FEMALE
 08:23:28 TRANSP 516 Location: SAT JAIL
 08:23:29 RI 516
 08:23:54 CLEAR 534
 08:29:30 CHANGE Location: [REDACTED] -->2505 ROLAND DR, HET DAREA: CHN-->SO
 RD/FD: 54412C-->6001 Agency: CH-->SO Beat/Sta: CHN-->804
 08:29:30 -PREMIS Comment: PPR
 08:30:45 CMPLT 508
 08:30:48 OK 508
 08:36:22 CMPLT 516
 08:36:23 OK 516
 08:37:44 RI 516
 08:39:49 CASE 516 Case#: SO132357
 08:39:57 RI 508
 09:00:48 CLEAR 516 Dispo: RPT
 09:24:45 BACKER 534 UnitID:508 Location: CARLE ER, UR Badge:5534 OperNames: COILE,DANIEL A
 09:35:39 OK 534
 09:40:07 PRMPT 534 Comment: Preempted and dispatched to call #132100100
 10:01:49 CLEAR 508 Dispo: NTA
 10:01:49 -CLEAR
 10:01:49 CLOSE

Police Department
82 E. University Avenue
Champaign IL 61820
(217) 351-4545
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MEMORANDUM

TO: DC Gallo and Lt. Myers

FROM: Sgt. Aaron Lack

DATE: July 30th, 2013

SUBJECT: Interview with [REDACTED] regarding file #C13-6904

The intent of this memorandum is to document part of a conversation I had with [REDACTED] on July 29th, 2013 at approximately 0700 hours at her residence located at [REDACTED]. I responded to the address when I was notified that she was reporting that her arm was injured during an incident on July 28th, 2013 at approximately 2200 hours. During the incident she had been in an argument with her boyfriend, [REDACTED], while they were at his address, [REDACTED], Champaign. [REDACTED] called Officer Rush, who was on duty at the time, to come to the residence to help them prevent the situation from getting worse. Officer Rush arrived on scene and eventually transported [REDACTED] from [REDACTED] to her address at [REDACTED] at her request in order prevent any further problems at the residence.

When I spoke with [REDACTED] she explained that she believed her arm was broken due to the swelling that had occurred overnight. I asked her if she believed her arm was broken when Officer Rush drove her home from [REDACTED]. She said that although it was sore, she did not think it was broken at that time. She said she told Officer Rush at that time that her arm was sore. I asked her if she reported to Officer Rush at that time that a physical fight occurred between her and [REDACTED] at the [REDACTED]. She said she did not report it to Officer Rush at that time because she believed that nothing would be done and so she "did not want to get into it." She said she did not want the situation investigated so she did not tell Officer Rush about the domestic dispute becoming physical.

At the conclusion of my conversation, Officer Rush finished his interview with [REDACTED] and transported her back to the [REDACTED] where she wanted to pick up her vehicle. Also, Champaign County Deputies were going to meet with us there and conduct an investigation regarding the allegations of domestic battery since it was discovered that [REDACTED] is not within the city limits of Champaign.

Sgt. Aaron Lack

Police Department
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(217) 351-4545
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www.ci.champaign.il.us



MEMORANDUM

TO: Lt. Jon Swenson #927
FROM: Lt. Tod Myers #905
DATE: July 31, 2013
SUBJECT: Citizen Complaint

SUMMARY:

On July 28, 2013 Officer Matt Rush #7114 received a phone call on his personal cell phone while at work. Officer Rush's friend, [REDACTED], wanted him to respond to his residence at [REDACTED] because he was having a dispute with his girlfriend [REDACTED] who was present at the house. Officer Rush responds by himself and speaks to both parties. He ultimately transports the [REDACTED] from the [REDACTED] address to her house in [REDACTED].

The following morning at 0637 hrs, Metcad advises Sgt. Lack that [REDACTED] was calling back stating she believed her arm was broke and was upset that a report wasn't taken the previous night. Sgt. Lack arranges for Officer Rush to pick [REDACTED] up and transport her back to the [REDACTED] address and for the sheriff's department to respond as this is in their jurisdiction. The domestic investigation is turned over to the sheriff's department ultimately resulting in both [REDACTED] and [REDACTED] being placed under arrest. [REDACTED] was taken to the county jail while [REDACTED] was taken to Carle ER. [REDACTED] was later given a Notice to Appear when it was determined she had a fractured to her right ulna bone. Officer Rush completed an assist other agency report.

I spoke to Sgt. Lack later that morning and found he had a brief conversation with [REDACTED] about her interaction with Officer Rush and her injuries. I asked him to prepare a memorandum documenting the interaction. This memo is attached.

I located three videos from squad 49 which Officer Rush was driving. The first one is from 7/28/13 at 10:48:18 which is Officer Rush transporting [REDACTED]. The file is 034850.AV. The other two are from 7/29/13 which is Officer Rush transporting [REDACTED]. One begins at 7:25:08 file 122508.AV and the other begins at 7:28:17 file 122817.AV. All three were marked as Administrative

Complaint:

On July 31, 2013 I met with [REDACTED] at the Champaign Police Department. I noted a cast on her right arm and she was accompanied by her friend, [REDACTED]. Once I determined that [REDACTED] was not a witness to this event and was only present to support [REDACTED], I took them both into the Investigations Division room #226 in order to record the complaint intake. Once there I asked [REDACTED] to explain what had occurred the night of July 28, 2013.

On the afternoon of July 28, 2013 at around 1230 [REDACTED] and [REDACTED] took a motorcycle ride to Peoria. They had dinner while consuming a couple alcoholic drinks then rode back towards Champaign. She said they stopped at Millie's Bar in Mahomet and had a couple more drinks then drove to [REDACTED] house on [REDACTED] arriving around 9:30PM. She said she intended on going to bed and walked into the bedroom. She moved some of [REDACTED] belongings off the bed and he got upset. They began to argue so she walked out of the bedroom and he followed. After a short argument in the hallway, she turned to go back to the bedroom. When she started walking back, [REDACTED] pushed her from behind causing her to fall to the floor on her stomach. She said [REDACTED] sat on her back while pinning both of her wrists to the floor with his hands. He then began twisting her wrists until she heard a "pop" from her right wrist/arm area. She said it was clear that something had broke and [REDACTED] knew it also because he immediately got off of her and went outside talking on his cell phone. (Presumably to Officer Rush.)

She sat on the couch in the front room and saw Officer Rush pull up to the house. Officer Rush had a brief conversation with [REDACTED] in the front yard then entered the house with [REDACTED] following behind. She said she was holding her right arm and crying due to the pain. She said she explained to Officer Rush that [REDACTED] had pushed her down, twisted her arms/wrists, and she believed a bone had broken. As she explained this, [REDACTED] was standing in the doorway talking over her. She described her injury at this point as bruised with the right wrist/arm area swollen twice the size as the left. I asked what Officer Rush's response was and she said he only replied with "OK." [REDACTED] said she did not ask for an ambulance to be called and never asked Officer Rush to transport however she said she did make several comments about needing to go to the hospital.

She said Officer Rush told her that he would give her a ride home due to her prior consumption of alcohol. She said she "wasn't sober" but not highly intoxicated. She agreed and got into the squad car. I asked her if there was any conversation between her and Officer Rush during the ride. She said she complained about the pain to her right wrist/arm area, she thought it was broken and needed to go to the hospital. She said Officer Rush never acknowledged her. When they arrived at her house in [REDACTED], Officer Rush walked her inside. She said he retrieved a bag with ice and gave it her telling her to put it on her wrist/arm area. Officer Rush then told her to go to sleep and he would return in 4 hours to take her back to get her vehicle. [REDACTED] said she commented about locking her doors and Officer Rush there was no need to do that since she lived in Savoy. She does not know what his comment meant.

At around 0600 on the 29th, she awoke to a lot of pain to her right wrist area. She called 9-1-1 explaining what had occurred the previous evening and wanted to know why no report was taken. Metcad was able to determine that Officer Rush was at the house on [REDACTED] and notified Sgt. Lack. She said Officer Rush came back to her house shortly afterwards and transported her back to [REDACTED] where she met with the county deputies.

██████ said her complaint about this interaction is not necessarily that Officer Rush didn't investigate and take enforcement action but rather he did not assist her in receiving medical care when she requested.

██████ did provide me with a copy of her emergency room visit paperwork. The diagnosis is listed as an ulna fracture. I also had her sign a Carle medical release for more in depth records. She has future appointments to determine if she will require surgery to repair the fracture.

Sgt. Lack did speak ██████ on the morning of the 29th. I asked him to complete a memorandum explaining his interaction which is included in the packet.

Squad Video

I was able to locate three videos related to Officer Rush transporting ██████. One was dated 7/28/2013 10:48:18 file 034850.AV. This is the transport from the Roland address to ██████'s house. The other two are from the morning of the 29th. The first one is at 7:25:08 file 122508.AV and the other is 7:28:17 file 122817.AV. The video from the 28th has some conversation during the transport however due to exterior noise; it is very difficult to hear. Lt. Paulus was going to attempt to enhance the verbal interaction. I have not received this back from him as of yet. The other two videos from the 29th have no verbal interaction that I could hear. It appears his transmitter is not connected and the other mic is muted. All three videos were classified as administrative.

METCAD TAPE

I requested and received a copy off all radio and phone communication from this incident. I have not reviewed it. It is included in this packet.

Other attachments in packet

Citizen Complaint Intake Form
Memorandum from Sgt. Lack
Metcad Dispatch ticket #132090429 dated 7/28/13
Metcad Dispatch ticket #1321000067 dated 7/29/13
CPD report C13-6904
CCSO report S13-2357
Copy of paperwork from Carle ER from 7/29/13
Signed medical release for Carle
Copy of Metcad radio and telephone conversations related to this incident



CHAMPAIGN POLICE DEPARTMENT



Page 1 of 5

INCIDENT DETAIL

Officer Number	7114	METCAD Event #	132100067	Shift	3	Case Number	CC1306904		
Occurred	07/28/2013	22:00	DOW	Sunday					
Reported	07/29/2013	06:36	DOW	Monday	Time Dispatched	06:44	Time Arrived	06:54	
Incident Adr.	[REDACTED]				Loc Type			GEO	54412

OFFENSE

Offense Crime Code/Description	CSA	Act	# Pr.	Force	Circ.	Weapon	Bias
9019 ASSIST AGENCY (OTHER)			000	NO		99	88

SYNOPSIS

Assisted CCSO with an investigation.

OTHER

Name	[REDACTED]				Address				Telephone			
				CHAMPAIGN, IL 61821								
Emp Code	Employer/School Name				Emp. Address				Emp. Tel.			
				CHAMPAIGN, IL				Unknown				
DOB	Age (when occurred)	Race	Sex	Ht.	Wt.	Hair	Eye	SSN	DL#			
[REDACTED]	30	W	F	506	135	BLN	BLU	[REDACTED]	[REDACTED]			
Injury Code	Victim Code	Hospitalized	Treated by									
N	I	NO										

Name	[REDACTED]				Address				Telephone			
				CHAMPAIGN, IL 61821								
Emp Code	Employer/School Name				Emp. Address				Emp. Tel.			
Y	[REDACTED]				CHAMPAIGN, IL				Unknown			
DOB	Age (when occurred)	Race	Sex	Ht.	Wt.	Hair	Eye	SSN	DL#			
[REDACTED]	36	W	M	506	150	BRO	BRO	[REDACTED]	[REDACTED]			
Injury Code	Victim Code	Hospitalized	Treated by									
N	I	NO										

RELATION MATRIX

Offense	Victim	Relation Code	Offender
9019	SOCIETY	ST	[REDACTED]
9019	SOCIETY	ST	[REDACTED]

PROPERTY

Tag#	Desc. Digital Memory Card		Recommended Action	
49067			RETAIN UNTIL NO EVID. VALUE	
Loss Recv Drug	Quantity Measure Value	Serial # Evidence? YES Property Code	Loc CPD EVIDENCE ROOM	Disposition
	1.000	498		

NARRATIVE

On 07/28/2013, at approximately 2215 hrs, I was wearing a Champaign Police Department Class "B" uniform and operating a

Reporting Officer: RUSH, MATT R

officer's initials el approved 905

NARRATIVE CONTD.

NARRATIVE CONTD.

fully marked squad car. I recieved a phone call from [REDACTED] stating he was arguing with his girlfriend and wanted to make sure the arguement did not get any worse. I proceeded to [REDACTED]'s address located at [REDACTED], Champaign Illinois. At this time, I believed the aforementioned address was the jurisdiction of the Champaign Police Department.

Upon arrival, I observed [REDACTED] standing in the front yard talking on a cell phone. [REDACTED] walked up to me and stated that his girlfriend, identified as [REDACTED], has extremely intoxicated and out of control. [REDACTED] explained that he had been with [REDACTED] throughout the day in Peoria. [REDACTED] stated that he took [REDACTED] on a date and it was actually a very good day for the two of them. [REDACTED] advised that upon returning home they began arguing.

[REDACTED] stated that he was in the front yard of his residence talking on the phone with his land lord. [REDACTED] stated that [REDACTED] believed he was talking to another woman at this time.

[REDACTED] stated that [REDACTED] had consumed numerous mixed drinks with vodka. While [REDACTED] was outside, [REDACTED] entered a spare bed room and began tearing up property, gifts for [REDACTED]'s children. [REDACTED] stated she was throwing the neatly stack pile of gifts around the room. I did not actually observe the bedroom as I only entered the living room of the house. [REDACTED] advised that [REDACTED] was more intoxicated than he has seen her in a very long time. [REDACTED] stated that they began yelling at each other while in the hallway of the residence. [REDACTED] advised that [REDACTED] continued throwing items around the residence. [REDACTED] informed me he was stepping outside to call when [REDACTED] grabbed onto his arm. [REDACTED] stated the continued arguing while his arm was in her grasp.

[REDACTED] stated that as they were yelling, [REDACTED] put her hand on his face, in a manner described as getting his attention. I did observed two small red marks on [REDACTED]'s face that had the appearance of pimples. [REDACTED] stated that he turned to walk away at which time [REDACTED] fell back wards onto the floor. [REDACTED] stated he then walked outside at which time he called me. [REDACTED]

NARRATIVE CONTD.

advised he waited outside until I arrived. It should be noted, that [REDACTED] did not appear to be intoxicated. His speech was not slurred and he did not have any issues walking or holding a conversation.

I instructed [REDACTED] to wait outside while I talked to [REDACTED] inside the residence. I entered the residence and observed [REDACTED] sitting on the couch. [REDACTED] was crying and swaying side to side. [REDACTED] was highly intoxicated as her speech was heavily slurred, her eyes were blood shot and she could not maintain her balance.

I asked [REDACTED] if she was okay to which she stated "I just want to go home, I just want to go home". [REDACTED] continued to cry and was not able to maintain the conversation. In continued attempting to speak with [REDACTED] however, her intoxication was too high for a successful interview. [REDACTED] would say that [REDACTED] is mean to her and that she was scared of him. I informed [REDACTED] I could not allow her to drive in her condition. [REDACTED] said she was fine and just wanted to drive home. I told [REDACTED] approximately 3 times I could not allow her to drive, however, I would provide her with a ride home. [REDACTED] reluctantly agreed and I began assisting her with locating her belongings. [REDACTED] was not able to find her phone, keys, purse or coat due to her intoxication. [REDACTED] was eventually able to locate her keys and provided them to me. I then transported [REDACTED] home to her residence in [REDACTED]. While en route, [REDACTED] continued saying how she was tired of [REDACTED] being mean to her and brought up [REDACTED] possibly being with other women. I then dropped off [REDACTED] at her residence where she stated she just wanted to pass out for the evening.

It should be noted, there were no independent witnesses to the event and conflicting stories. [REDACTED] appeared to be very believable while [REDACTED] struggled to maintain the conversation. At approximately 0630 hrs on 07/29/2013, [REDACTED] called METCAD and stated she believed her arm was broken and she wanted to know why

NARRATIVE CONTD.

a report was not taken.

At this time, Sgt Lack and myself proceeded to her residence in order to photograph any possible injuries and interview [REDACTED]. As I approached the residence I observed [REDACTED] standing in the living room. She was crying and holding her arm. I asked [REDACTED] if she needed an ambulance to which she replied "No, I will be fine". I asked [REDACTED] if she could relay what had occurred prior to my arrival on 07/28/2013.

[REDACTED] stated that she had been with [REDACTED] throughout the day in Peoria on a date. [REDACTED] said everything was great throughout the day and they enjoyed themselves. [REDACTED] advised that upon arrival at the residence, an argument immediately began to escalate. [REDACTED] stated that [REDACTED] started yelling at her after she questioned what he was doing in the front yard.

[REDACTED] advised they continued to yell at each other and as she was walking in the hallway, [REDACTED] approached her and placed her into a "bear hug". At this time, [REDACTED] stated that she attempted to pull away and they fell onto the ground. [REDACTED] stated [REDACTED] stood up and grabbed her arms and twisted them.

[REDACTED] stated at this time her arm began to hurt. It should be noted, that while at [REDACTED] I did not observe any redness or scratches on the arm she stated was injured. [REDACTED] stated that [REDACTED] then left the residence and used his cell phone. It was shortly after this, that I arrived on scene.

[REDACTED] did have a small amount of swelling on her right forearm at the time of the second interview. I used a digital shift camera and photographed the injury. The digital memory card was later entered into evidence at the Champaign Police Department. Sgt. Lack informed me that the Champaign County Sheriff's Department would also investigate the incident so an impartial decision could be made regarding any possible enforcement action. In addition, I later was informed that [REDACTED] is actually the jurisdiction of the Sheriff's Department.

NARRATIVE CONTD.

I then transported [REDACTED] back to [REDACTED] in order for her to speak with the Sheriff's Department. While en route, [REDACTED] stated "I didn't want to make a big deal about this and did not want a report. Upon arrival, I released [REDACTED] to Deputy Maxey for the interview.

I have no further information regarding this information.

Copied By:		Entered/Filed By:	
Miscellaneous/Leads #s			
Signature of Reporting Officer <i>[Signature]</i>		APPROVED (Supervisor) <i>[Signature]</i>	
date 7/29/13		date 07-29-13	
No secondary dissemination without consent from Champaign Police Dept.			
Reporting Officer: RUSH, MATT R		officer's initials <i>MR</i> approved <i>[Signature]</i>	



SHERIFF DAN WALSH
CHAMPAIGN COUNTY SHERIFF'S OFFICE

204 E. Main Street
Urbana, Illinois 61801-2702
(217) 384-1204

Dan Walsh

Sheriff

ph (217) 384-1205

fax (217) 384-3023

Chief Deputy

Kris Bolt

ph (217) 384-1222

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Captain

Allen Jones

ph (217) 819-3546

fax (217) 384-1272

Jail Information

ph (217) 384-1243

fax (217) 384-1272

Investigations

ph (217) 384-1213

fax (217) 384-1219

Civil Process

ph (217) 384-1204

fax (217) 384-1219

Records/Warrants

ph (217) 384-1233

FAX

TO: _____ Lt. Myers _____
CPD

FROM: _____ Shari-Investigations _____

Champaign County Sheriff's Office

Office: 217/384-1213

Fax: 217/384-1219

DATE: _____ 7/29/2013 _____

SUBJ: _____ S13-2357 _____

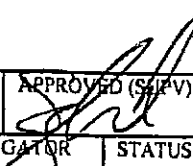

PAGES: 18__ including cover sheet) _____

COMMENTS/INSTRUCTIONS:

I

CHAMPAIGN COUNTY SHERIFF'S OFFICE REPORT FORM

☒ ARREST ☐ EVIDENCE ☐ JUVENILE ☒ SUSPECT

DISPATCH TIME 0714 hrs	ARRIVAL TIME 0719 hrs	EVENT NUMBER M132100067	CASE NUMBER (S) S13-2357	
DATE/TIME OF REPORT 07-29-13 0636 hrs	DOW Mo	DATE/TIME OCCURRED 07-28-13 2200 hrs	DOW Sun	BEAT 65
GEO CODE				
OFFENSE DESCRIPTION		PLACE	STATE	
1. DOMESTIC BATTERY		290	720-5/12-3.2	
LOCATION TYPE Residence		ADDRESS OR LOCATION [REDACTED]		CITY/TWP Champaign
CORPORATE NAME		CORPORATE ADDRESS		CONTACT PERSON
TELEPHONE #				
OFFENDER SUSPECTED OF USING (CHECK AS MANY AS APPLY)		<input checked="" type="checkbox"/> ALCOHOL <input type="checkbox"/> COMPUTER <input type="checkbox"/> DRUGS <input type="checkbox"/> N/A		FOR BURGLARY/HOME INVASION <input type="checkbox"/> FORCIBLE <input type="checkbox"/> NON-FORCIBLE <input type="checkbox"/>
BATTERY/HOMICIDE CIRCUMSTANCE				
<input checked="" type="checkbox"/> ARGUMENT <input type="checkbox"/> GANGLAND <input type="checkbox"/> MERCY KILLING <input type="checkbox"/> LOVER'S QUARREL <input type="checkbox"/> OTHER <input type="checkbox"/> ASSAULT ON OFFICER <input type="checkbox"/> JUVENILE GANG <input type="checkbox"/> OTHER FELONY <input type="checkbox"/> DRUG DEALING <input type="checkbox"/> UNKNOWN <input type="checkbox"/> HATE CRIME				
WEAPON USED DESCRIBE WEAPON				
<input checked="" type="checkbox"/> HANDS/FISTS <input type="checkbox"/> EXPLOSIVES <input type="checkbox"/> CUTTING DEVICE <input type="checkbox"/> SHOTGUN <input type="checkbox"/> HANDGUN <input type="checkbox"/> BLUNT OBJECTS <input type="checkbox"/> FIRE/INCEN. DEVICE <input type="checkbox"/> MOTOR VEHICLE <input type="checkbox"/> OTHER FIREARM <input type="checkbox"/> RIFLE <input type="checkbox"/> CLUB/BRASS KNUCKLES <input type="checkbox"/> FIREARM <input type="checkbox"/> POISON <input type="checkbox"/> OTHER <input checked="" type="checkbox"/> UNKNOWN				
LAST [REDACTED]	FIRST [REDACTED]	MIDDLE [REDACTED]	RACE W	SEX F
DOB [REDACTED]		EMPLOYER		
RP ADDRESS [REDACTED]		CITY/TWP [REDACTED]	OCCUPATION	HOME PHONE [REDACTED]
WORK PHONE				
NBR OF VICTIMS 2	VICTIM TYPE	<input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> UNKNOWN <input type="checkbox"/> SOCIETY <input type="checkbox"/> FINANCIAL <input type="checkbox"/> GOVERNMENT <input type="checkbox"/> RELIGIOUS ORG. <input type="checkbox"/> OTHER <input type="checkbox"/> POLICE OFFICER <input type="checkbox"/> BUSINESS		
LAST [REDACTED]	FIRST [REDACTED]	MIDDLE [REDACTED]	RACE	SEX
DOB		AGE		
SEE SUSPECT INFORMATION				
ADDRESS		CITY/TWP	HGT	WGT
HAIR		EYES		
EMPLOYER/SCHOOL		ADDRESS		
OCCUPATION		HOME PHONE		WORK PHONE
VEH COLOR:	YEAR	MAKE	MODEL	BODY
LICENSE/STATE/YEAR		VIN#		
INVESTIGATION SYNOPSIS:				
Physical domestic between [REDACTED] and his girlfriend, [REDACTED] occurred last night. [REDACTED] contacted police this morning after believing her arm was possibly broken.				
[REDACTED] was arrested and transported to the Satellite Jail.				
[REDACTED] was transported to Carle ER for treatment of a broken arm. [REDACTED] issued an NTA.				
LEADS #	RELATED CASE #S CH13-6904	FORMS INCLUDED WITH THIS REPORT: <input checked="" type="checkbox"/> SUSPECT <input checked="" type="checkbox"/> WIT/PROP <input checked="" type="checkbox"/> NARRATIVE <input type="checkbox"/> SUP WIT <input type="checkbox"/> SUP PROP		APPROVED (S/PV) 
OFFICER ASSIGNED Wagner, Maxey	SENT TO S.A. <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	DATE SENT 7-29-13	INVEST. ASSIGNED	REC'D BY-INVESTIGATOR 
STATUS				

SUSPECT FORM										CASE # S13-2357	
OFFENDER # 1		SUSPECT <input type="checkbox"/>		FIELD NTA <input type="checkbox"/>		ARRESTEE <input checked="" type="checkbox"/>		RACE		A <input type="checkbox"/> H <input type="checkbox"/> W <input checked="" type="checkbox"/>	
		VICTIM <input type="checkbox"/>		JUV <input type="checkbox"/>				B <input type="checkbox"/> I <input type="checkbox"/> U <input type="checkbox"/>			
LAST [REDACTED]		FIRST [REDACTED]		MIDDLE [REDACTED]		SEX W		DOB [REDACTED]		AGE 36	
ADDRESS [REDACTED]								HOME PHONE [REDACTED]			
DLN [REDACTED]		ST IL		SSN [REDACTED]		MIRANDA: <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		OFFICER'S NAME:		DATE/TIME	
HEIGHT 506	WEIGHT 180	HAIR COLOR Bro	EYES Bro	SCARS/MARKS/TATTOOS				CHARACTERISTICS <input type="checkbox"/> GLASSES <input type="checkbox"/> MUSTACHE <input type="checkbox"/> BEARD			
CLOTHING DESCRIPTION								AKA:			
ARRESTING OFFICER Wagner 516		LOCATION OF ARREST [REDACTED]				DATE/TIME ARRESTED 07-29-13 0818 hrs		TRANSPORTED BY Wagner 516			
EMPLOYMENT STATUS		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> MILITARY <input type="checkbox"/> STUDENT		EMPLOYER/SCHOOL [REDACTED]		ADDRESS [REDACTED]			
VEH COLOR:	YEAR	MAKE	MODEL	BODY	LICENSE/STATE/YEAR		VIN #				
OFFENSE DESCRIPTION Domestic Battery						STATUTE 720-5/12-3.2		CRIME CODE 0486			
OFFENDER # 2		SUSPECT <input checked="" type="checkbox"/>		FIELD NTA <input checked="" type="checkbox"/>		ARRESTEE <input type="checkbox"/>		RACE		A <input type="checkbox"/> H <input type="checkbox"/> W <input checked="" type="checkbox"/>	
		VICTIM <input type="checkbox"/>		JUV <input type="checkbox"/>				B <input type="checkbox"/> I <input type="checkbox"/> U <input type="checkbox"/>			
LAST [REDACTED]		FIRST [REDACTED]		MIDDLE [REDACTED]		SEX F		DOB [REDACTED]		AGE 30	
ADDRESS [REDACTED]								HOME PHONE [REDACTED]			
DLN [REDACTED]		ST IL		SSN [REDACTED]		MIRANDA: <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		OFFICER'S NAME:		DATE/TIME	
HEIGHT 505	WEIGHT 120	HAIR COLOR Bln	EYES Bro	SCARS/MARKS/TATTOOS				CHARACTERISTICS <input type="checkbox"/> GLASSES <input type="checkbox"/> MUSTACHE <input type="checkbox"/> BEARD			
CLOTHING DESCRIPTION								AKA:			
ARRESTING OFFICER Maxey 508		LOCATION OF ARREST Carle Hospital				DATE/TIME ARRESTED 07-29-13 0830 hrs		TRANSPORTED BY NTA 5951			
EMPLOYMENT STATUS		<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> MILITARY <input type="checkbox"/> STUDENT		EMPLOYER/SCHOOL		ADDRESS			
VEH COLOR:	YEAR	MAKE	MODEL	BODY	LICENSE/STATE/YEAR		VIN #				
OFFENSE DESCRIPTION Domestic Battery						STATUTE 720-5/12-3.2		CRIME CODE 0486			
CHECK ONLY THOSE THAT APPLY FOR MULTIPLE OFFENDERS ENTER OFFENDER NUMBER IN SPACE											
RELATIONSHIP OF VICTIM TO OFFENDER: NUMBER OF OFFENDERS 2											
FOR MULTIPLE OFFENDERS ENTER OFFENDER NUMBER IN SPACE											
<input type="checkbox"/> ACQUAINTANCE	<input type="checkbox"/> CHILD	<input type="checkbox"/> VICTIM HAS CHILDED W/OFFENDER	<input type="checkbox"/> VICTIM IS DATING								
<input checked="" type="checkbox"/> BOY/GIRL FRIEND	<input type="checkbox"/> EMPLOYEE	<input type="checkbox"/> CHILD BOY/GIRL FRIEND	<input type="checkbox"/> VICTIM IS ENGAGED								
<input type="checkbox"/> COMMON LAW SPOUSE	<input type="checkbox"/> FRIEND	<input type="checkbox"/> EMPLOYER	<input type="checkbox"/> VICTIM IS AN EX-IN-LAW								
<input type="checkbox"/> EX-SPOUSES	<input type="checkbox"/> STRANGER	<input type="checkbox"/> OTHERWISE KNOWN	<input type="checkbox"/> VICTIM IS A PERSONAL ASSISTANT								
<input type="checkbox"/> GRANDPARENT	<input type="checkbox"/> IN LAW	<input type="checkbox"/> NEIGHBOR	<input type="checkbox"/> VICTIM IS FORMERLY DATING								
<input type="checkbox"/> HOMOSEXUAL REL.	<input type="checkbox"/> PARENT	<input type="checkbox"/> PARENT	<input type="checkbox"/> VICTIM IS FORMERLY ENGAGED								
<input type="checkbox"/> OTHER FAMILY	<input type="checkbox"/> SIBLING	<input type="checkbox"/> SPOUSE									
<input type="checkbox"/> REL. UNKNOWN	<input type="checkbox"/> STEPPARENT	<input type="checkbox"/> STEPSIBLINGS									
<input type="checkbox"/> STEPCCHILD	<input type="checkbox"/> BABYSITTER	<input type="checkbox"/> VICTIM W/OFFENDER									
<input type="checkbox"/> BABYSITTEE	<input type="checkbox"/> GRANDCHILD										

WITNESS / PROPERTY FORM										CASE # S13-2357		
W P G S	NAME CPD Officer Matt Rush			RACE		SEX		DOB		EMPLOYER/SCHOOL CPD		
	HOME ADDRESS						CITY, STATE		HOME PHONE		WORK PHONE	
	NAME			RACE		SEX		DOB		EMPLOYER/SCHOOL		
	HOME ADDRESS						CITY, STATE		HOME PHONE		WORK PHONE	
	NAME			RACE		SEX		DOB		EMPLOYER/SCHOOL		
	HOME ADDRESS						CITY, STATE		HOME PHONE		WORK PHONE	
	NAME			RACE		SEX		DOB		EMPLOYER/SCHOOL		
	HOME ADDRESS						CITY, STATE		HOME PHONE		WORK PHONE	
	NAME			RACE		SEX		DOB		EMPLOYER/SCHOOL		
	HOME ADDRESS						CITY, STATE		HOME PHONE		WORK PHONE	
	NAME			RACE		SEX		DOB		EMPLOYER/SCHOOL		
	HOME ADDRESS						CITY, STATE		HOME PHONE		WORK PHONE	
	NAME			RACE		SEX		DOB		EMPLOYER/SCHOOL		
	HOME ADDRESS						CITY, STATE		HOME PHONE		WORK PHONE	
	NAME			RACE		SEX		DOB		EMPLOYER/SCHOOL		
	HOME ADDRESS						CITY, STATE		HOME PHONE		WORK PHONE	
SCENE	PHOTOS TAKEN <input type="checkbox"/> YES <input type="checkbox"/> NO			FILM #		SCENE PROCESSED <input type="checkbox"/> YES <input type="checkbox"/> NO		LATENTS LIFTED <input type="checkbox"/> YES <input type="checkbox"/> NO				
	ANY EVIDENCE OF: <input type="checkbox"/> BLOOD <input type="checkbox"/> FIBERS <input type="checkbox"/> HAIRS <input type="checkbox"/> FOOTWEAR IMPRESSIONS <input type="checkbox"/> OTHER (DESCRIBE) <input type="checkbox"/> GLASS FRAGMENTS <input type="checkbox"/> DEBRIS <input type="checkbox"/> TIRE IMPRESSIONS <input type="checkbox"/> PRY MARKS											
PROPERTY	0 LOST 1 BURNED 4 DAMAGED 6 SEIZED 1 UNKNOWN CODES 1 NONE 3 COUNTERFEIT/FORGED 5 RECOVERED 7 STOLEN 9 RECOVERED BY OTHER AGENCY											P G
	CODE	QTY.	DESCRIPTION							VALUE		
	LOCATION			SERIAL NUMBER					LEADS NUMBER			
	CODE	QTY.	DESCRIPTION							VALUE		
	LOCATION			SERIAL NUMBER					LEADS NUMBER			
	CODE	QTY.	DESCRIPTION							VALUE		
	LOCATION			SERIAL NUMBER					LEADS NUMBER			
	CODE	QTY.	DESCRIPTION							VALUE		
	LOCATION			SERIAL NUMBER					LEADS NUMBER			
	CODE	QTY.	DESCRIPTION							VALUE		
	LOCATION			SERIAL NUMBER					LEADS NUMBER			
	CODE	QTY.	DESCRIPTION							VALUE		
	LOCATION			SERIAL NUMBER					LEADS NUMBER			
	TOTAL \$											

CHECK APPROPRIATE BOX IN WITNESS COLUMN

W - WITNESS

G - GUARDIAN

P - PARENT S - SIBLING

CHAMPAIGN COUNTY SHERIFF'S OFFICE

SUPPLEMENTARY / CONTINUATION REPORT

DATE AND TIME OF ORIGINAL REPORT 07/28/13 0637	DATE AND TIME OF THIS REPORT	CASE NUMBER S13-2357
LOCATION [REDACTED]	OFFENSE DESCRIPTION Domestic Battery	

Today, at approximately 0711 hours I was dispatched [REDACTED] regarding a domestic battery report which occurred the previous evening. Deputy Wagner and Sgt. Coile also responded from Champaign county as did a couple Champaign police officers Matt Rush, and Sgt. Lack.

Upon arrival I learned basically the following. The previous evening there was a domestic situation at [REDACTED] at which time one of the people involved contacted a Champaign police officer Matt Rush. This occurred sometime around 2217 hours and Rush responded to the above address.

For details regarding this please see the Champaign Police report documenting the events prior to CCSO being notified this morning. Sgt. Lack did transport [REDACTED] from her residence in [REDACTED] back to the [REDACTED] address in Champaign so we could speak sort everything out.

I spoke with [REDACTED], who is both a suspect and a victim in the domestic situation which began on 07/28/13 around 2200 hours. While Deputy Wagner spoke with [REDACTED] who is the other suspect/victim in the domestic situation.

See Deputy Wagner's original report for details of his interview with [REDACTED]

During my conversation with [REDACTED] I learned basically the following. She and her on again off again boyfriend [REDACTED] share a daughter and occasionally do things together. Last night was one of those times and they were both drinking. [REDACTED] was not very cooperative and didn't want to provide details about the encounter, but as time passed she was more willing to talk.

[REDACTED] didn't want [REDACTED] to get into trouble, but she did want to have someone in the medical profession look at her right wrist because she believed it was broken. [REDACTED] initially didn't want a deputy to take her to the hospital, she wanted to take herself. [REDACTED]'s vehicle, phone purse and other items were at the residence [REDACTED] which she also needed to retrieve.

As [REDACTED] and I spoke about the events which occurred the previous night she told me she and [REDACTED] were squabbling about a variety of stupid little things she couldn't even recall. Something about a couple of cards on [REDACTED] bed that she moved seemed to be the starting point for [REDACTED]. The two exchanged words back and forth down the hallway, and at one point [REDACTED] stated [REDACTED] pushed her from behind causing her to fall forward. [REDACTED] said she had her hands out in front of her and [REDACTED] grabbed her wrists and twisted the right one underneath her body as she fell down. [REDACTED] said she didn't recall doing anything to [REDACTED] in a physical way, maybe she pushed or scratched him while trying to get away from him, but she wasn't sure.

[REDACTED] and I spoke about the domestic situation and how it was not good for anyone to be in that type of situation. I did explain to her how to obtain an order of protection and provided her the appropriate paperwork. We also discussed going to the emergency room to have her wrist

DEPUTY ASSIGNED Maxey	BADGE 50800	DATE 07/29/13	TYPED BY INITIALS AAM	Page 1 of 2
SIGNATURE OF REPORTING DEPUTY <i>[Signature]</i>	APPROVED (SUPERVISOR) <i>[Signature]</i> 5		BADGE 534	DATE 7-29-13

CHAMPAIGN COUNTY SHERIFF'S OFFICE

SUPPLEMENTARY / CONTINUATION REPORT

DATE AND TIME OF ORIGINAL REPORT 07/28/13 0637	DATE AND TIME OF THIS REPORT	CASE NUMBER S13-2357
LOCATION [REDACTED]	OFFENSE DESCRIPTION Domestic Battery	

checked out and she agreed it would be best. There was swelling of her right wrist area that I observed, I didn't see any other visible injuries nor did she complain of any. I also explained to [REDACTED] she would most likely be arrested for domestic battery due to the injuries she inflicted upon [REDACTED]. [REDACTED] was cooperative and understood although she didn't agree.

I transported [REDACTED] to Carle emergency room for treatment without incident. The medical exam indicated [REDACTED] has a spiral fracture to her right wrist, and would most likely need surgery to repair the injury.

After discussing the situation with Sgt. Coile, I issued [REDACTED] notice to appear in court.

No further information was available at this time.

DEPUTY ASSIGNED Maxey	BADGE 50800	DATE 07/29/13	TYPED BY INITIALS AAM	Page 2 of 2
SIGNATURE OF REPORTING DEPUTY <i>[Signature]</i>	APPROVED (SUPERVISOR) <i>[Signature]</i>		BADGE 534	DATE 7-29-13

CHAMPAIGN COUNTY SHERIFF'S OFFICE

SUPPLEMENTARY / CONTINUATION REPORT

DATE AND TIME OF ORIGINAL REPORT 07-29-13 0636 hrs	DATE AND TIME OF THIS REPORT	CASE NUMBER S13-2357
LOCATION [REDACTED]	OFFENSE DESCRIPTION DOMESTIC BATTERY 0486	

On 07-29-13, I was dispatched to [REDACTED] in reference to a Domestic Battery investigation. This incident occurred at the above address at approximately 2200 hrs on 07-28-13. Upon arrival, I interviewed [REDACTED] (36) and learned the following:

[REDACTED] is currently in a relationship with [REDACTED] (30) and they share a daughter together. [REDACTED] resides at the above address and [REDACTED] resides [REDACTED]. Both share a joint, mutual, custody of their daughter.

Last night [REDACTED] took [REDACTED] on a motorcycle ride to Peoria where they stopped at a restaurant for dinner and a bar afterwards. [REDACTED] and [REDACTED] then stopped at bars in Bloomington and in Mahomet before returning home.

[REDACTED] stated he only had 3-4 beers during the evening, but [REDACTED] began drinking heavily at the all three bars; having consumed numerous shots of vodka and other liquor, along with beer and wine throughout the night.

After returning to the [REDACTED] address, [REDACTED] became enraged over finding [REDACTED] bed made-up with fresh sheets and blankets. [REDACTED] believe [REDACTED] was hiding an affair and some other female had cleaned his house and made his bed.

[REDACTED] reported [REDACTED] becoming totally irrational and enraged and began searching through a packed duffle bag of [REDACTED]s from a recent two week trip. [REDACTED] was looking for evidence of another woman/affair and began tossing items out of the bag and all over the bedroom. She also tore up several gifts intended for [REDACTED]s kids.

[REDACTED] then turned on [REDACTED] slapping and hitting him several times across the face as he denied having any type of affair. [REDACTED] stated she hit him in the back, the face, and the back/side of the head numerous times, but most of the slaps and punches did not hurt.

However, [REDACTED] did complain of having been slapped across the right ear hard enough to hurt his ear drum. This injury was later confirmed as a rupture eardrum and medical attention was required.

[REDACTED] began leaving the room and [REDACTED] grabbed him from behind; grabbing him around his face and hooking a finger into [REDACTED]s mouth. [REDACTED] had several small scratches to his face and one scratch inside the mouth area as well.

[REDACTED] described trying to pull away from [REDACTED] while standing in the hallway. [REDACTED] claimed [REDACTED] being very intoxicated, fell over her pair of boots and fell to the ground in the hallway. [REDACTED] believed this is where [REDACTED] hurt her arm. [REDACTED] then entered the kitchen as the pair continued to argue.

DEPUTY ASSIGNED T Wagner	BADGE 516	DATE 07-29-13	TYPED BY INITIALS TLW 516	Page 1 of 2
SIGNATURE OF REPORTING DEPUTY <i>T Wagner</i>	APPROVED (SUPERVISOR) <i>[Signature]</i>		BADGE 534	DATE 7-29-13

CHAMPAIGN COUNTY SHERIFF'S OFFICE
SUPPLEMENTARY / CONTINUATION REPORT

DATE AND TIME OF ORIGINAL REPORT 07-29-13 0636 hrs	DATE AND TIME OF THIS REPORT	CASE NUMBER S13-2357
LOCATION [REDACTED]	OFFENSE DESCRIPTION DOMESTIC BATTERY 0486	

[REDACTED] then called a friend, Matt Rush; a Champaign Police Officer who was on duty at the time. [REDACTED] called Matt Rush's personal cell number and Matt came to the home at approximately 2325 hrs.

[REDACTED] had settled down after [REDACTED] called Matt Rush and was taken home by the officer to her address at [REDACTED].

[REDACTED] denied ever harming [REDACTED] in any way stating he only pushed her away when she was attacking and slapping him.

[REDACTED] was arrested for Domestic Battery and transported to the county jail.

DEPUTY ASSIGNED T Wagner	BADGE 516	DATE 07-29-13	TYPED BY INITIALS TLW 516	Page 2 of 2
SIGNATURE OF REPORTING DEPUTY <i>T Wagner</i>	APPROVED (SUPERVISOR) <i>[Signature]</i>		BADGE 534	DATE 7-29-13

NOTICE OF ARREST WITHOUT WARRANT

NOTICE OF ARREST WITHOUT WARRANT

STATE OF ILLINOIS
COUNTY OF CHAMPAIGN } ss.

TO THE SHERIFF OF CHAMPAIGN COUNTY:

You are hereby notified that [REDACTED], DOB: 4/7/77 was arrested by me without warrant for the offense/s being in violation of:

Offense Domestic Battery, Paragraph 12.3, Chapter 720, Illinois Revised Statutes;
Offense _____, Paragraph _____, Chapter _____, Illinois Revised Statutes;
Offense _____, Paragraph _____, Chapter _____, Illinois Revised Statutes;
Offense _____, Paragraph _____, Chapter _____, Illinois Revised Statutes;
Offense _____, Paragraph _____, Chapter _____, Illinois Revised Statutes;

OR

Section _____, Article _____, Chapter _____, of Ordinance No. _____; of the _____ of _____

(City or Village)

Name of Municipality

You are requested to hold said person in safe and secure custody in the County Jail of Champaign County until said person can be taken before the Circuit Court of the Sixth Judicial Court, Champaign County, and a charge filed unless prior release on bail is authorized by law.

I hereby certify that I am a duly authorized peace officer, as indicated below, that the arrest referred to herein is justified under the laws of the State of Illinois, and that I will appear before the proper court to file a charge against the arrested person without unnecessary delay.

Dated this 29th day of July, 20 13.

The above named subject is to be charged with a ☐ Felony or ☒ Misdemeanor

Signature of Peace Officer T. K. Wagner 516

Title Deputy

☒ 72 Hour no contact provision to apply at bond out

Law Enforcement Agency Champaign County

Date of Arrest 7/29/13

Time of Arrest 0812 hrs

Received the within named person at 0945 M. o'clock, Central Monday Time, on

Place of Arrest [REDACTED]

Standard or Daylight the 29 day of July, 20 13.

Arrival Time at Jail 0840 hrs

Delivered before the said Circuit Court at _____ M. o'clock, Central _____ Time, on _____

Arresting Officer & Badge # WAGNER 516
(Print)

Standard or Daylight the _____ day of _____, 20 _____

Transporting Officer & Badge # WAGNER 516
(Print)

Case # S13-2357

D. J. Walsh
Sheriff of said County

By [Signature] 31600
Deputy

Circuit Clerk's Copy - White

Sheriff's Copy - Canary

Peace Officer's Copy - Pink

Prosecuting Attorney's Copy - Goldenrod

NON-TRAFFIC COMPLAINT AND NOTICE TO APPEAR CHAMPAIGN COUNTY SHERIFF'S OFFICE

ISE NO. S13-2357
 STATE OF ILLINOIS
 COUNTY OF CHAMPAIGN
 CITY/VILLAGE OF CHAMPAIGN } No 05951

IN THE CIRCUIT COURT OF THE
 SIXTH JUDICIAL CIRCUIT
 CHAMPAIGN COUNTY, ILLINOIS

MUNICIPALITY PLAINTIFF VS.

NAME	[REDACTED]		
ADDRESS	[REDACTED]		
CITY	SAVOY	State	IL
DR. LIC.	[REDACTED]	CDL	[REDACTED]
Eyes	H2L	Ht.	5'5"
Sex	F	Race	W
SS#	[REDACTED]	Phone N	[REDACTED]

DEFENDANT STATES THAT ON 7/29/13 AT 0630 M.
 Defendant did unlawfully commit
 THE FOLLOWING OFFENSE:

(Describe) DOMESTIC BATTERY -

IT IS DUE TO SPIRAL FRACTURE + SURGERY

S13-2357

VIOLATION OF ☒ I.L.C.S. ☐ I.R.S. ☐ Local Ord. Chap. 720 Art. 12-3.2 Sec./Par. F
 LOCAL ORDINANCE _____ OF SAID MUNICIPALITY.

(Location of Offense)

COURT LOCATION & DATE:

CHAMPAIGN CO. COURTHOUSE - 201 E. MAIN - RM. # F

URBANA, ILLINOIS 61801 ON 8/14/13 AT 130 AM/PM

☒ YOU MUST APPEAR IN COURT in person on the above date.

NOTICE: THE COURT WILL ISSUE A WARRANT FOR THE ARREST OF ANY DEFENDANT WHO HAS FAILED TO APPEAR TO ANSWER AN ARREST TICKET DULY SERVED UPON HIM AND UPON WHICH A COMPLAINT HAS BEEN FILED.

NO POSTED CASH \$ ☒ NTA ☐ OTHER _____

Under penalties as provided by law for false certification pursuant to Section 1-109 of the Code of Civil Procedure and perjury pursuant to Section 32-2 of the Criminal Code of 1961, the undersigned certifies that the statements set forth in this instrument are true and correct.

Subscribed and sworn to before me

7/29/13 Date
EDDY SHERIFF Title

Date 7/29/13
[Signature] Year 508
 (Signature and identification of Officer or other Complainant)

P.F. PETTIBONE & CO.
 1-800-733-2832

ILLINOIS UNIFORM CRIME REPORTING PROGRAM
CRIMES AGAINST CHILDREN/ DOMESTIC VIOLENCE/ ATTACKS AGAINST SCHOOL PERSONNEL FORM

Agency Name Deampaign County Sheriff's Office
 Month/Year of Occurrence July 2013 CASE # S13-2357 OR 11010000

☐ INITIAL
☐ ADJUSTMENT

OFFENSE CODE	IF ATTEMPTED "X"	DATE	TIME (MULTIPLY)	VICTIM			OFFENDER			INJURY CODE #1	INJURY CODE #2	INJURY CODE #3	WEAPON CODE #1	WEAPON CODE #2	WEAPON CODE #3	DISPOSITION CODE	RELATIONSHIP CODE	
0486		7/29	1200	AGE	SEX	RACE	AGE	SEX	RACE								88	DR
0486		7/29	1200	30	F	W	36	M	W	B			40				87	DR

AGE CODES
 NN Under 24 hours old
 NB 1 to 8 days old
 BB 7 to 364 days old
 01 - 98 Enter Age in Years
 99 Over 98 Years of Age
 00 Unknown

SEX CODES
 M - Male F - Female U - Unknown

RACE CODES
 A Asian/Pacific Islander
 B Black
 H Hispanic
 I American Indian/Alaskan Native
 W White
 U Unknown

WEAPON CODES
 11 Firearm
 12 Handgun
 13 Rifle
 14 Shotgun
 15 Other Firearm
 16 Knife/Bladed Cutting Instrument
 17 Club/Bladed Brass Knuckles
 18 Hand Tool
 25 Ligature
 30 Blunt Object
 35 Motor Vehicle
 40 Personal Weapons (Punch, fist, feet)
 50 Poison
 60 Explosives
 65 Fire/Incendiary Device
 70 Drugs
 82 Sharp Object
 85 Asphyxiation
 90 Other
 91 Pretend
 95 Unknown
 99 None

INJURY CODES
 A Abrasion/Scrubed
 B Laceration
 C Bruise
 D Other Major Injury
 E Apparent Minor Injury
 F None
 G Possible Internal Injuries
 H Severe Laceration
 I Unconsciousness
 K Killed
 L Shot

DISPOSITION CODES
 Advise (Age 17 and Greater)
 86 Released to state or city attorney for prosecution
 87 Arrested (held for prosecution or release on bond)
 88 Summons or citation for arrest issued but not served
 89 Released without charge
 90 Referred to social service agency
 Juveniles (Age 18 and Under)
 92 Released without charge
 93 Summons or citation for arrest issued but not served
 94 Referred to social service agency
 95 Arrested (held for prosecution in JUVENILE court or released on bond)
 96 Arrested (held for prosecution in ADULT court or released on bond)
 97 Referred to state or city attorney for prosecution

RELATIONSHIP CODES
 Identify the victim's relationship to the offender

SE Victim was Spouse
 XS Victim was Ex-Spouse
 PA Victim was Parent
 SB Victim was Sibling (Brother or Sister)
 CH Victim was Child
 CC Victim has Child in Common with Offender
 CF Victim or Offender was Child of Current/Former Boyfriend/Girlfriend
 GP Victim was Grandparent
 GC Victim was Grandchild
 IL Victim was Current/Former In-Law
 SP Victim was Current/Former Stepparent
 SC Victim was Current/Former Steppchild
 SS Victim was Current/Former Steppibling (Stepbrother or Stepsister)
 OF Victim was Other Family Member
 LI Victim was Live-In Boy/Girlfriend or Same Sex
 XL Victim was Ex-Live-In Boy/Girlfriend or Same Sex

DR Dating Relationship (marital status or same sex)
 XD Ex-Dating Relationship (marital status or same sex)
 CT Caretaker (Current/Former health care provider, personal care assistant with the home)
 RM Current/Former Room Mate
 FR Victim was Friend
 AQ Victim was Acquaintance
 NE Victim was Neighbor
 BE Victim was Baby-sitter (child)
 EE Victim was Employee
 ST Offender was Stranger to Victim
 RU Relationship Unknown
 TS Victim was Teacher
 AS Victim was School Administrator
 OS Victim was Other School Personnel

Utilize I-UCR Offense Code Sheet ISP 6-260 (02/07)

Message From Terminal/Unit: DIS4 Operator: 6602

Originally Sent To: 534

Date/Time Sent: 29-JUL-2013 10:30:51

TKT FROM LAST NIGHT AROUND 2200HRS

Original message, forwarded:

Detailed History for Police Event #132090429 As of 07/29/2013 10:30:38

Priority:5 Type:FOLLOW - FOLLOW UP

Location: [REDACTED]

LocCross:btwn COMANCHE DR and AZTEC DR

Created: 07/28/2013 22:17:17 DIS5/6618

Entered: 07/28/2013 22:17:17 DIS5/6618

Dispatch:07/28/2013 22:17:17 DIS5/6618

Enroute: 07/28/2013 22:17:17 DIS5/6618

Onscene: 07/28/2013 22:35:10 DIS5/6618

Control: 07/28/2013 22:42:56 DIS5/6618

Closed: 07/28/2013 23:12:28 DIS8/6610

PrimeUnit: 7114 Dispo: NORPT Final Type: FOLLOW - FOLLOW UP

Agency: SO DAREA:SO Beat:504 RD:6001

22:17:17 CREATE (DIS5/6618) Location: [REDACTED], HET LocCross:btwn COMANCHE
DR and AZTEC DR

22:17:17 ENTRY (DIS5/6618) Type:None -->FOLLOW DAREA:None -->SO RD/FD:None
-->6001 TypeDesc:None -->FOLLOW UP Priority:None -->5

Response:None -->1PAT Agency:None -->SO

22:17:17 DISPER (DIS5/6618) 7114 Location: [REDACTED] HET Badge:7114

OperNames:RUSH,MATT R

22:17:17 -PRIU (DIS5/6618) 7114

22:17:17 -PREMIS (SERV/SERVER) Comment: (none)

22:35:10 ONSCN (DIS5/6618) 7114

22:42:56 OK (DIS5/6618) 7114

23:12:28 CLEAR (DIS8/6610) 7114 Dispo:NORPT

23:12:28 -CLEAR (DIS8/6610)

23:12:28 CLOSE (DIS8/6610)

[07/29/2013]

06:38:10 XREF (DIS8/6629) Service:P Event:#132100067 Type:DOMEST Agency:SO

06:43:45 -PREMIS (SERV/SERVER) Comment: (none)

Message From Terminal/Unit: DIS4 Operator: 6602

Originally Sent To: 534

Date/Time Sent: 29-JUL-2013 10:31:41

THIS IS THE TKT FROM THIS AM.

Original message, forwarded:

Detailed History for Police Event #132100067 As of 07/29/2013 10:31:09

Priority:3 Type:DOMEST - DOMESTIC

Location: [REDACTED]

LocCross:btwn COMANCHE DR and AZTEC DR

Created: 07/29/2013 06:36:33 DIS8/6629

Entered: 07/29/2013 06:37:57 DIS8/6629

Dispatch:07/29/2013 06:44:06 DIS8/6616

Enroute: 07/29/2013 06:44:06 DIS8/6616

Onscene: 07/29/2013 06:54:57 DIS6/6620

Control: 07/29/2013 07:01:34 DIS6/6620

Transprt:07/29/2013 08:19:11 DIS8/6616

Complete:07/29/2013 08:30:45 DIS8/6616

Closed: 07/29/2013 10:01:49 DIS8/6616

PrimeUnit: 7114 Dispo: NTA Final Type: DOMEST - DOMESTIC

Name: [REDACTED] RPad: [REDACTED]

Agency: SO DAREA:SO(n/a) Beat:S04(n/a) RD:6001(n/a)

Case #: CH1306904, SO132357

06:36:33 CREATE (DIS8/6629) Location: [REDACTED] Type:DOMEST Name:

[REDACTED]
DAREA:SO RD/FD:6001 TypeDesc:DOMESTIC LocCross:btwn COMANCHE

DR and AZTEC DR Priority:1 Response:1PAT Agency:SO LocType:

S

06:37:57 ENTRY (DIS8/6629) Priority:1 -->3 Comment: RP WANTING TO MAKE A RPT
IN REF AN INC LAST NIGHT IN DOBBINS DOWNS. SAYING A CPD OFCR
CAME OUT AFTER BEING CALLED BY HER BFRIEND AND WAS TAKEN HOME
BY THE OFCR. NOW SAYING SHE THINKS SHE HAS A BROKEN ARM BUT REF
MED. WANTING A RPT AND UPSET THERE WASNT ONE TAKEN LAST NIGHT.
920ADV OF THIS

06:37:58 NOMORE (DIS8/6629)

06:37:57 -PREMIS (SERV/SERVER) Comment: PPR

06:38:10 XREF (DIS8/6629) Service:P Event:#132090429 Type:FOLLOW Agency:SO

06:38:12 SELECT (DIS8/6629)

06:38:15 HOLD (DIS8/6629)

06:42:16 HOLD (DIS8/6616) Comment:HOLD

06:44:06 DISPER (DIS8/6616) 7114 Location:108 W MAIN ST,SV Badge:7114

OperNames:RUSH,MATT R

06:44:06 -PRIU (DIS8/6616) 7114

06:44:23 MISC (DIS8/6616) 7114 Comment: PER 920, 7114 GO TO SAVOY, 25 W/ CCSO

TO FILL THEM IN

06:44:25 RI (DIS8/6616) 7114

06:45:07 CHANGE (DIS5/6627) Location: [REDACTED] -->UNKNOWN CHAMPAIGN

RESP,CH RD/FD:6001 -->54412C Beat/Sta:S04 -->CHN

06:45:08 CHANGE (DIS5/6627) Response:1PAT-->2PC DAREA:SO -->CHN Agency:SO
-->CH

06:45:07 -PREMIS (DIS8/6616) Comment: PPR, FPR, AED, KNOX

06:45:07 -PINFO (DIS8/6616) PremType:AED Location:82 E UNIVERSITY AV,CH

Comment: AED - 6 LOCATED IN THE BLDG. WITH NO PERMANENT
LOCATION AT THIS TIME

06:47:21 MISCN (DIS4/6631) Comment: 549 CALLED IN, ADVSD FEM PUT MSG ON CCSO
FACEBOOK PAGE REGARDING INCIDENT.

06:54:57 ONSCN (DIS6/6620) 7114

06:59:53 CASE (DIS6/6620) 7114 Case#:CH1306904

07:01:30 BACKOS (DIS6/6620) 920 UnitID:7114 Location: [REDACTED] V Badge:

7920 OperNames:LACK,AARON V

07:01:34 OK (DIS6/6620) 7114 920

07:11:56 BACKER (DIS8/6616) 508 UnitID:7114 Location: [REDACTED] Badge:

5508 OperNames:MAXEY,ALICIA A

07:14:29 BACKER (DIS8/6616) 516 UnitID:508 Location: [REDACTED] Badge:

5516 OperNames:WAGNER,TRACY L

07:19:50 CHGLOC (DIS8/6616) 508 516 Location: [REDACTED]

07:24:21 CHGLOC (DIS6/6620) 7114 Location: [REDACTED] Comment: W/FEMALE

SM 5593.0

07:25:19 BACKER (DIS8/6616) 534 UnitID:516 Location: [REDACTED] Badge:

5534 OperNames:COILE,DANIEL A

07:27:22 ONSCN (DIS8/6616) 516

07:32:34 OK (DIS8/6616) 516

07:33:12 OK (DIS8/6616) 534

07:33:17 OK (DIS8/6616) 508
07:36:49 ONSCN (DIS6/6620) 7114 Comment: EM 5600.0
07:39:16 CLOS (DIS6/6620) 920 Location:2505 ROLAND DR,HET
07:43:54 OK (DIS6/6620) 7114 920
07:53:45 CLEAR (DIS6/6620) 7114 920 Dispo:RPT
08:02:53 CHANGE (DIS8/6616) Location:UNKNOWN CHAMPAIGN RESP,CH -->2505 ROLAND
DR,HET
08:02:53 -PREMIS (DIS6/6620) Comment: (none)
08:11:13 OK (DIS8/6616) 508 516 534
08:18:00 MISC (DIS8/6616) 516 Comment: *** 95X1 ***, MALE HALF
08:18:20 RI (DIS8/6616) 508
08:18:22 RI (DIS8/6616) 516
08:19:11 TRANSP (DIS8/6616) 508 Location:CARLE ER,UR Comment: W/ FEMALE
08:23:28 TRANSP (DIS8/6616) 516 Location:SAT JAIL
08:23:29 RI (DIS8/6616) 516
08:23:54 CLEAR (DIS8/6616) 534
08:29:30 CHANGE (DIS6/6620) Location: [REDACTED] -->2505 ROLAND DR,HET
DAREA:CHN -->SO RD/FD:54412C -->6001 Agency:CH -->SO
Beat/Sta:CHN -->S04
08:29:30 -PREMIS (DIS6/6620) Comment: PPR
08:30:45 CMPLT (DIS8/6616) 508
08:30:48 OK (DIS8/6616) 508
08:36:22 CMPLT (DIS8/6616) 516
08:36:23 OK (DIS8/6616) 516
08:37:44 RI (DIS8/6616) 516

08:39:49 CASE (DIS8/6616) 516 Case#:SO132357

08:39:57 RI (DIS8/6616) 508

09:00:48 CLEAR (DIS8/6616) 516 Dispo:RPT

09:24:45 BACKER (DIS8/6616) 534 UnitID:508 Location:CARLE ER,UR Badge:5534

OperNames:COILE,DANIEL A

09:35:39 OK (DIS8/6616) 534

09:40:07 PRMPT (DIS8/6616) 534 Comment: Preempted and dispatched to call


#132100100

10:01:49 CLEAR (DIS8/6616) 508 Dispo:NTA

10:01:49 -CLEAR (DIS8/6616)

10:01:49 CLOSE (DIS8/6616)

Fact Finding Interview – Officer Matt Rush
August 14, 2013

REVIEWED ON
8/21/13


JS: Today's date is Wednesday, August 14, 2013. The time is approximately 10:50 a.m. For identification purposes, my name is Lt. Jon Swenson. Also present in the room at this time are Lt. Dave Shaffer, FOP attorney Tamara Cummings, and Officer Matt Rush. Officer Rush, before we get started, I need to advise you that this interview is being recorded. I also need to advise you that you are hereby ordered to respond to all questions truthfully and fully that bear on your employment with the Champaign Police Department. Do you understand that?

MR: I do.

JS: Any admission made by you during the course of this interview may be used as evidence of your misconduct, and may form the basis for charges in seeking discipline against you, up to and including termination. Do you understand that?

MR: I do.

JS: You have the right to a legal representative of your choosing. Do you understand that?

MR: I do.

JS: And you have elected to have Ms. Cummings serve as your legal representative?

MR: Yes.

JS: And you were served and provided with a copy of the fact-finding notice regarding this interview, correct?

MR: I was.

JS: Did you report to duty for the Midnight Shift on the evening of July 28, 2013?

MR: I did.

JS: Were you on duty, in uniform, and working in your capacity as a patrol officer that evening?

MR: Yes.

JS: Were you assigned as a Northwest District patrol officer?

MR: Yes.

JS: At approximately 2215 hours that evening did you receive a phone call on your personal cell phone?

MR: Yes.

JS: Who called you?

MR: [REDACTED]

JS: Are you personally acquainted with [REDACTED]?

MR: Yes.

JS: How so?

MR: I know him through [REDACTED] I know [REDACTED] from sitting up at [REDACTED]; that's the extent of our relationship. We don't go out anywhere else together; it's just at [REDACTED].

JS: Okay. Do you consider him a friend or an acquaintance or?

MR: I would say more so an acquaintance.

JS: Okay. But he obviously has your personal cell...

MR: Yes.

JS: ...phone number? Okay. And can you tell me what specifically did [REDACTED] tell you during the course of that phone call?

MR: He called me twice. The first two times were in briefing. I did not answer. Once briefing was cleared I went to my car to get ready for shift. That's when I called him back.

JS: Okay and what did he say to you when you called him back?

MR: He's like hey Matt, it's [REDACTED]. Matt can you come out here, actually he was freaking out. I don't want this to get worse, can you come out here and keep this from getting any worse than it is. And I said yes.

JS: Okay and did you know his address or did he have to give that to you?

MR: He had to give it to me.

JS: Okay, did you ever ask him why he was calling you rather than calling "911"?

MR: I did not ask him that.

JS: Okay, did you form an opinion as to why he was calling you rather than calling "911?"

MR: Honestly, Lieutenant, I didn't even question that. I just thought it was him calling for help.

JS: Okay. Did you subsequently proceed to [REDACTED]'s residence at [REDACTED] [REDACTED]?

MR: I did.

JS: And did you believe that address to be within the Champaign city limits at the time of your response?

MR: Yes, I did.

JS: Okay. Was it your understanding that you were responding to some sort of a domestic disturbance?

MR: Uh, disturbance might be a strong word. Dispute, I would think, an argument more than anything is what I thought I was going to.

JS: Okay, upon responding, did you inform the METCAD dispatcher that you were responding to [REDACTED] for a Code 27, which is the code for "follow-up investigation?"

MR: Yes, I did say that.

JS: And was that information that you provided to METCAD entirely accurate?

MR: I guess that would be the wrong terminology, so yes that would be inaccurate.

JS: Okay. Why didn't you tell them about the information that you received and the nature of the call that you were responding to?

MR: I didn't, I did not feel as though I would need any assistance. I didn't believe a crime had been committed.

JS: Okay. During your training as an officer of this Department, whether while in the academy, during Field Training, or while attending on-the-job training, have you been taught that our response to domestic disputes should always involve, at minimum, two officers?

MR: That has been correct, yes.

JS: Then, knowing that you were responding to some sort of domestic disturbance, why didn't you at least request a back-up officer?

MR: As I said, I didn't think I needed one.

JS: Okay, upon your arrival at [REDACTED] did you meet and speak with [REDACTED] in front of his residence?

MR: Yes, he was outside already when I pulled up.

JS: Okay. And what specifically did he tell you at that time?

MR: [REDACTED] is, [REDACTED] usually animated anyways, um, he was of the same disposition out there, animated talking, he's like Matt, she's freaking out, I got all these gifts for my kids on vacation, they're in the bedroom, she tore 'em up. She thinks I'm cheating on her. I'm on the phone with my landlord. At ten o'clock she came outside thinking I was talking to some other girl, that's what started the argument.

JS: Okay, did he also tell you that she was trying to hit him but he kept turning his back to avoid getting hit.

MR: I don't recall that, no. He said, the only allegation that he made was that she grabbed, touched his face, like in a way to get his attention. Like stop ignoring me type of way.

JS: Okay. Did you consider that to constitute a battery?

MR: No.

JS: Okay. Did [REDACTED] complain of any injury?

MR: He said his face hurt, but he didn't appear injured at all.

JS: Okay. So you didn't note any injury to him at that time?

MR: I saw two things that appeared to be pimple marks...

JS: Okay.

MR: ... believe that was here and here. (points to left and right cheek)

JS: Okay, so one on the right side and one on the left side of his face?

MR: Correct.

JS: Okay. After speaking with [REDACTED], did you speak with [REDACTED]?

MR: I attempted to, yes.

JS: Okay. What specifically did she say to you?

MR: Uh, [REDACTED] was in the living room. The living room was right to the west, east door, she was on the north side of the living room sitting on the couch crying hysterically.

JS: Okay.

MR: Or sobbing, I would not say crying...sobbing, upset.

JS: Okay. And did she make any statements to you at that time?

MR: I wanna go home. I said what's going on. I said what's wrong with you, what's happening tonight? She's like I wanna go home.

JS: Okay. She didn't make any statements specifically about what had happened between her and [REDACTED]

MR: She said they were arguing. They got in a fight. Or argument, not a physical fight. They were arguing, he's mean, I want to go home. And at this point, I mean, she's barely forming sentences...

JS: Okay.

MR: ...she's extremely intoxicated at this time.

JS: All right. During that initial conversation did she complain of any injury to her arm?

MR: She said her arm hurt.

JS: Okay.

MR: I observed her arm. I saw no scratches, no redness or no swelling.

JS: Okay. At any time while you were at [REDACTED] did you learn or were you informed that [REDACTED] had fallen or been knocked to the ground?

MR: Uh, yes, she said I fell. And I want to go home.

JS: She said that she fell or he said that she fell?

MR: She said that. They both said that. And at this time I had, I had instructed [REDACTED] I said wait outside in the front yard. So [REDACTED] was in the front yard and I was inside the living room with her alone.

JS: Okay. What were your actions in response to your observations and the information that you learned from speaking with [REDACTED] and [REDACTED]

MR: I'm sorry could you say that one more time?

JS: What were your actions in response to your observations and the information that you learned from speaking with [REDACTED] and [REDACTED]

MR: I believed it was a remove subject, an intoxicated subject. Like I said, I didn't see any injury on her. And if there were, in hindsight, in looking back, if an arrest would have been made...if I would have been there, sent there to a domestic and an arrest would have been made, it wouldn't have been [REDACTED] it would have been her. Just because of the allegation of her touching his face.

JS: Okay. Are you aware that since the time of your response there she was treated for a spiral fracture to her right wrist?

MR: I did not know it was a spiral fracture, but I did know that she was treated for an injury.

JS: Okay.

MR: But I've, I broke my own wrist eight months ago. And I know that she's talking animated with her hands, using gestures. And I know when I broke my arm I couldn't do anything other than hold it to my chest and not move.

JS: Okay.

MR: And that was more along the lines of what I saw at seven o'clock in the morning in Savoy.

JS: Right. Of course at the time that you responded to speak to her on [REDACTED] she was intoxicated and probably not feeling . . .

MR: Right.

JS: ...so much pain.

MR: And in hindsight that makes perfect sense now.

JS: So you elected not to summarize this incident in a police report at that time?

MR: Correct.

JS: And why was that?

MR: I believed it was a remove subject call. We don't document those with reports.

JS: Okay. Did you...

MR: I will, I will admit my judgment probably was clouded at the time.

JS: Okay and why do you think that was?

MR: With my, because of my acquaintance with [REDACTED]

JS: Okay. Did you ultimately provide [REDACTED] with a ride home?

MR: Yes, sir.

JS: Okay, did she complain of any injury during transport?

MR: Uh, the same initial complaint.

JS: Okay. And did she continue to make that same complaint when she arrived at her residence in [REDACTED]?

MR: She made the same statements over and over and over throughout the duration of the trip from [REDACTED] to [REDACTED].

JS: Okay. Upon arriving at her residence did you notice or note any injury to her arm?

MR: I did not note it there, at [REDACTED]'s residence, or her own residence.

JS: Okay. When you dropped [REDACTED] off at her residence in [REDACTED] prior to leaving did you prepare a bag of ice for her to apply to her arm?

MR: Yes.

JS: Okay.

MR: Since she refused medical attention I thought maybe this would help.

JS: When did you offer medical attention to her?

MR: Uh, I believe at [REDACTED] and during transport.

JS: Okay, did you ever notify METCAD that you were transporting [REDACTED] to her residence?

MR: No, sir.

JS: And why was that?

MR: I believe I was the only one working; I was just trying to get the situation taken care of. I understand now in hindsight that a radio transmission doesn't slow me down any, so I was just trying to get done with this call as soon as possible and get back on the street.

JS: Okay, did you record the transport?

MR: No, sir.

JS: All right. And why was that?

MR: She wasn't a suspect and she wasn't under arrest.

JS: Okay. So policy doesn't require it but it is optional for you...

MR: It's...

JS: ...and you...

MR: ...well it's strongly suggested and I understand why now.

JS: Okay. For the next several questions I want you to refer to Champaign Police Department Policy 41.8, which is titled Domestic Violence. I believe I gave you a copy of that to refer to before questioning.

MR: Yes, you did.

JS: Okay. Have you read and are you familiar with Champaign Police Department Policy 41.8, titled "Domestic Violence?"

MR: Yes, sir.

JS: At the time of your response to [REDACTED], what did you know about the relationship between [REDACTED] and [REDACTED]

MR: I, the only thing I personally knew was that it had been on and off for years and [REDACTED] had said before that she's crazy.

JS: Okay, so you were aware that they had had a dating relationship?

MR: Yes.

JS: Were you aware that they had a child in common?

MR: Yes. I think [REDACTED] got children with several women but I'm not sure.

JS: Okay, so at that time were you aware that the relationship between [REDACTED] and [REDACTED] qualified them under the Domestic Violence Act?

MR: Yes, sir.

JS: Okay. According to Illinois State Law and Champaign Police Department Policy 41.8, "Domestic Abuse" includes "any crime, any property crime directed at the victim." By law and department policy, did [REDACTED] conduct, as reported to you by [REDACTED] meet the definition of domestic abuse?

MR: Uh, yes, it would fall within policy. I did not see if the property was actually damaged because [REDACTED] kept saying I just want her out of here. She kept saying she wanted to leave so that's exactly what I did.

JS: Right, but is it not true that the willingness of a victim to prosecute for domestic violence is not . . .

MR: Right.

JS: ...a factor that we consider here?

MR: It's not needed, yes, I understand that.

JS: Okay. According to Illinois State Law and Champaign Police Department Policy 41.8, a person commits "Domestic Battery" if he or she intentionally or knowingly, without legal justification by any means, causes bodily harm to or makes contact of an insulting or provoking nature with any family or household member. By law and department policy, did Ashley Johnson commit the offense of domestic battery?

MR: By law and policy, in hindsight, yes she did.

JS: Okay. According to Illinois State Law and Champaign Police Department Policy 41.8, "Domestic Violence" includes "attempting to cause or causing abuse." By law and department policy, did [REDACTED]'s conduct meet the definition of domestic violence?

MR: Yes.

JS: Does Section 48, I'm sorry, Section 41.8.1, titled "On Scene Investigation," require, among other things, that an officer conducting an investigation into a domestic disturbance assess the need for medical attention?

MR: It does say that yes.

JS: And do you feel you did that?

MR: Yes, I do.

JS: Okay, does Section 41.8.2, titled "Duties of Officers," require, among other things, that "Every officer investigating an alleged incident of abuse between family or household members shall make a written police report of any allegation and the disposition of the investigation?"

MR: Yes it does say that.

JS: Yet you still chose not to write a report?

MR: I, could I read through that one more time?

JS: Absolutely.

MR: The first section "Duty of law enforcement officer to take reasonable steps to prevent further abuse." I feel as though I did that. First sentence?

JS: Yes and it continues.

MR: Right. Correct it does say that. I did not conduct or generate a file or a report. Because at the time I believed it was an intoxicated subject that needed to be removed.

JS: Okay.

MS: And I would, I would also agree that I'm sure that my judgment was clouded.

JS: Okay, if you could refer to Section 41.8.3, titled "Assistance of Officers," does that Section require, among other things, that you advise victims about seeking medical attention and preserving evidence, specifically including photographs of injury or damage?"

MR: It does say that, correct.

JS: Did you view the property that [REDACTED] reported that [REDACTED] damaged?

MR: No, I did not.

JS: Did you photograph that damage?

MR: No, I did not. [REDACTED] just continued to say I want her out of here.

JS: Okay.

MR: She kept saying she wanted to go so that's what I did.

JS: Okay. For the next several questions please refer to the Champaign Police Department Rules. I think you should have a copy of those as well.

MR: I do.

JS: Have you read and are you familiar with Department Rule 1(A)(2), which states, "Employees shall perform police duties and make discretionary decisions in a manner consistent with the law?"

MR: Yes.

JS: Do you believe that your actions regarding the incident in question were consistent with the requirements of that Rule?

MR: At the time, at the time of incident, yes. Looking back in hindsight, no.

JS: Okay. Have you read and are you familiar with Department Rule 2(C)(1), which states, "Employees shall make a prompt official police report of offenses investigated, observed, or known?"

MR: I see that yes.

JS: And you've read that previously?

MR: Yes.

JS: And so you're familiar with that Rule?

MR: Yes.

JS: Do you believe that your actions regarding the incident in question were consistent with the requirements of that Rule?

MR: At the time I believed so. But after she called back the next morning obviously everything changed.

JS: Okay.

MR: I would say that I should have been more probing, but I wasn't.

JS: Okay.

MR: But it was, it was almost impossible to be probing with her due to her level of intoxication.

JS: Have you read and are you familiar with Department Rule 5(A)(2), which states, "Each employee shall provide aid or furnish information consistent with police duty and in accordance with departmental directive?"

MR: Yes.

JS: And do you believe that your actions on the evening in question were consistent with the requirements of that Rule?

MR: I do. I attempted to seek, to ask her if she needed medical attention, she said no. The following morning, she was also again asked if she needed medical, with Sergeant Lack present, she again refused. So I believe that was followed.

JS: Knowing what you know now, would you have handled that a little bit differently and maybe have called medical to the scene and had her decline them?

MR: If I would have known what I know now, I would have handled the call completely differently. I still believed it was Champaign. I would have requested another officer that wasn't familiar with [REDACTED] to come to the scene to make an impartial decision. I wasn't aware it was county, I thought it was us. So yes it would have been handled completely different.

JS: Okay. And regardless of that fact I'm assuming that you're referring to your response to what you learned in the incident as well. Not simply the fact of notifying somebody else?

MR: Right. Throughout the entire course of the investigation from you know 7 o'clock on in the morning until 10:00, once the report was done.

JS: Okay, lastly I'd like to call your attention to Champaign Police Department file C13-6904. That police report was written by you, and I asked you review it prior to this interview. Did you review that report?

MR: Yes, sir.

JS: And is your report true and accurate to the best of your recollection?

MR: Yes.

JS: Is there anything of a factual nature that you wish to add to your statement?

MR: Well, like I said, I should have been more probing. I had clouded judgment, I know that now and I wish I could have done it different.

JS: Okay, the last thing I'm going to ask you to look at is I have a printout here, which is available publically. It's through the Champaign County Circuit Clerk's website. It is a list of [REDACTED] criminal background for the past thirteen years.

MR: Okay.

JS: As you can see prior...

MR: It's substantial.

JS: ...prior to the incident in question he had ten arrests in Champaign. He has five felony convictions for offenses ranging from aggravated DUI to aggravated battery to aggravated domestic battery. Um, do you feel that it's appropriate for you to be associating with somebody with that background given your job?

MR: I did not know it was that substantial. My understanding was that, through what [REDACTED] told me, is that [REDACTED] turned his life around . . . better. I've only been in Champaign since February of 2010. So his last arrest was in '08, well before I got here.

JS: Right.

MR: I was not aware of all those felony arrests.

JS: Okay.

MR: But I could see how definitely that type of association is not good for myself or this department.

JS: Well and I think when you take his background and then you, you couple that with the fact that he calls you rather than 911. That you go, you don't give METCAD the proper code when you go, you don't summon medical assistance or elect to write a report, you transport her home without notifying METCAD or calling . . .

MR: Uh huh.

JS: ...or activating your transport camera, it, it takes what may be a series of small poor judgments...

MR: I understand it looks, it looks horrible.

JS: ...and it makes it look like you're trying to conceal a criminal act committed by somebody who with whom you're personally acquainted...

MR: Right.

JS: ...do you understand that now?

MR: Yes, absolutely. I mean I completely understand how it is and if discipline comes from this, that because I made, made a decision to elect to handle a personal issue on the clock I completely get it. There's not going to be any stink from me. I understand that.

JS: Okay.

MR: I understand that's a mistake. It makes the department look bad, it puts us in a bad spot. But at the time I thought I had a drunk female that needed to go home.

JS: Okay, so Lieutenant Shaffer, are there any additional questions on your behalf?

DS: I had a question I just wanted to follow up, number twenty-nine.

JS: Okay, yeah. I've since spoken with [REDACTED] regarding the complaint investigation that I'm in the midst of working, and when I did that he provided me with some photos that document the injuries to him. I wanted to ask you to look at them real quick here. Now granted these are being viewed on a smart phone, but the third photo here is of the inside of his mouth where he's clearly got a spot where he's bleeding.

DS: Is that on his tongue or his lip?

JS: I believe it's underneath of his tongue.

MR: Okay yeah, I, of course I didn't look on the inside his, the man's mouth.

JS: Okay. He didn't claim or state that he had any injury to that location?

MR: He said his face hurt.

JS: Okay.

MR: Like I said. Can you see his cheeks, those marks I was talking about?

JS: Yeah, I can, there's, I see these two pimples right here.

MR: I think this is the mark I'm talking about, right off to the side of the nose there . . .

JS: Okay.

MR: ...that's what I observed on scene.

JS: Well then the last one I want you to look at, he's got the start of what appears to be a black eye there.

MR: [REDACTED] gets in bar fights. [REDACTED] always got black eyes. [REDACTED] was in a bar fight three weeks ago in Mahomet.

JS: Well, be that as it may, couple minutes ago, you're telling me that you think this guys turned his life around . . .

MR: Well I mean . . .

JS: ...and is not involved in these type of things . . .

MR: ...people get in fights, I understand that. And I did not realize he had these significant felony charges of agg domestic or agg dui.

JS: And I understand that, but when you're called to deal with a situation where, according to his statement to me, he's telling me that he told you that she had, at the very, at the minimum, grabbed him by the face and also been attempting to hit him.

MR: He did not mention attempt to hit. He said grabbed by the face.

JS: Umm, okay then. That's inconsistent with his statement, but my point being that you respond to and arrive at a domestic situation and you see a guy, that picture was taken less than thirty minutes after you arrived at the residence, per the date coding on his cell phone, and this guy has what looks to be the beginnings of a fairly fresh black eye and my point...

MR: When we were in the front yard it was dark. [REDACTED] always had black eyes.

JS: Right. Did he not follow you into the residence while you...

MR: I told him...

JS: ...spoke with [REDACTED] and stand in the doorway?

MR: ...I don't think he was in the door, I said [REDACTED] wait outside on the stoop.

JS: Well, I mean I, the point that I'm trying to make...

MR: I see I did things wrong on this, I get that.

JS: Is that there were some additional steps that...

MR: I should have been much more probing. I get that.

JR: Okay, that's that's the point I'm trying to make.

MR: I mean, I really understand that. I mean, in hindsight I shouldn't had anything to do with this call. If it was Champaign, I shouldn't have been there anyway. But...

JS: Okay.

MR: ...we are here so...

JS: I understand.

MR: ...just try to tell the truth about it.

JS: And I appreciate that. Do you have anything else Lt. Shaffer?

DS: No, I don't.

JS: Tamara, do you have anything you'd like to offer on Officer Rush's behalf?

TC: I just want, for clarification, with the start of the black eye in the picture.

JS: Uh huh.

TC: Did you say, I'm asking, did you say Officer, that you didn't, you didn't notice it at the time or you noticed it at the time but it didn't strike you as being unusual?

MR: I'll say I don't really even recall, but if [REDACTED] had a black eye, it wouldn't even surprise me. Everybody in this room knows, I mean, people get in fights in bars sometimes, so I know he was in an altercation in Mahomet, had to leave. That was it.

JS: Okay.

MR: But like I said I was completely unaware of all of this because this was well before my time in Champaign and I can definitely see an association is not a good thing.

JS: I would agree.

MR: But it's just easy to do when you go to [REDACTED] so.

JS: I understand. Okay, at this time it is approximately 11:15 am and this recording will conclude.

End of recording.